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Senate

The Senate met at 2:00 p.m. and was called to order by the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Lord God, we put our trust in You, determined to accept the things we cannot change and to change the things we can. Give our lawmakers the wisdom to trust in Your power to help them navigate through the difficulties ahead. Lord, fill their thoughts with Heaven's hopes as the light of Your presence envelops them. Help them to see themselves as Your servant leaders, filled with Your power, patriotism, and purpose. May they tune their hearts to receive Your guidance and Your abundant grace, opening themselves fully to Your transforming might.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TAMMY BALDWIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. LEAHY).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 18, 2013.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TAMMY BALDWIN, a Senator from the State of Wisconsin, to perform the duties of the Chair.

PATRICK J. LEAHY,
President pro tempore.

Ms. BALDWIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will resume consideration of H.R. 933, the continuing resolution. The filing deadline for second-degree amendments is 4:30 p.m. today. Unless an agreement is reached, there will be a cloture vote on the substitute amendment today at 5:30 p.m.

MEASURES PLACED ON THE CALENDAR—S. 582 AND S. 583

Mr. REID. Madam President, there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bills by title for the second time.

The legislative clerk read as follows:

A bill (S. 582) to approve the Keystone XL Pipeline.

A bill (S. 583) to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

Mr. REID. Madam President, I object to any further proceedings with respect to these two pieces of legislation.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measures will be placed on the calendar.

THE CONTINUING RESOLUTION

Mr. REID. Madam President, I want to advise everyone as to what is happening with our effort to keep the government running. On Thursday we recessed for the weekend so negotiators could attempt to reach an agreement on a finite list of amendments to consider today. The bill managers, Senators SHELBY and MIKULSKI, have worked very hard, and they have made progress over the weekend. They have condensed the number of amendments that are being seriously talked about. I commend them and their staff for all their efforts. I have spoken to both of them this morning; they have not yet reached an agreement. I think they are getting close—or at least I hope that is the case. Just before coming in here, I spoke to one of the staff members, and he is reaching out to Senator SHELBY's staff before presenting it to the two Senators for their approval.

Frankly, I had trouble getting both sides to agree on a finite list of amendments. There were a lot of amendments that people wanted, but he objected to this and she objected to that. There is still hope that we can have a limited number of amendments and vote on those so we can move to final passage of the bill. One way or another, we have to move forward on this bill.

On Wednesday I filed a motion to invoke cloture on the pending substitute amendment and the underlying bill. On Thursday we postponed that cloture vote, anticipating that an agreement would be reached and that we could consider amendments today. Absent an agreement, we will vote on a cloture petition tonight. It is in the interest of all Senators that we move forward with this important legislation. The House is waiting on our action. There is a great deal of work to do on either side of the aisle before March 27 kicks in.

Also, the more time we spend on this continuing resolution, the less time we will have to vote on amendments to

the budget resolution. As a reminder, the budget resolution cannot be filibustered, but there is 50 hours of debate allowed. We must reserve time this week to consider a number of amendments on the budget. After all 50 hours expires, there will be unlimited amendments. So this is going to be a very full week. Senators should expect to work into the night as well as some late votes.

We will stay as long as it takes to complete work on both the continuing resolution and the budget resolution even if that means working on the weekend and into the Easter and Passover recess. I understand that Passover is on Monday, so if we don't finish over the weekend, we would have to come back after Passover, which would be terribly unfortunate, but we need some cooperation from Senators on both sides of the aisle. I am hopeful and confident we can get there.

RESERVATION OF LEADER TIME

Mr. REID. Will the Chair announce the business for the rest of the day.

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

DEPARTMENT OF DEFENSE, MILITARY CONSTRUCTION AND VETERANS AFFAIRS, AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2013

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 933.

The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 933) to make appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Pending:

Reid (for Mikulski-Shelby) modified amendment No. 26, in the nature of a substitute.

Toomey amendment No. 115 (to amendment No. 26), to increase by $60 million the amount appropriated for operation and maintenance for the Department of Defense for programs, projects, and activities in the continental United States, and to provide an offset.

Durbin amendment No. 123 (to amendment No. 115), to change the enactment date.

Mr. REID. Madam President, I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUNT. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BLUNT. Madam President, I ask unanimous consent to set aside the pending amendment.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. MIKULSKI. I object.

The ACTING PRESIDENT pro tempore. The Senate is in a quorum. Without objection, we will suspend the quorum call.

Mr. BLUNT. I need to repeat my request, Madam President, just in case. I ask unanimous consent that we set aside the pending amendment and call up amendment No. 43.

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. MIKULSKI. I object.

The ACTING PRESIDENT pro tempore. Objection is heard.

Mr. BLUNT. Madam President, I wish to talk about this amendment. I hope there is still a way I might be able to offer it. If I am not able to offer it as an amendment to this bill, I intend to offer it as a bill to become part of the ongoing laws that govern these kinds of activities. I would also say—and I have said to many people—I have great expectations for the chairman of our committee, Chairman MIKULSKI. I understand she is trying to work out how to make the work of the Senate happen, and I think she is going to be vigilant and determined in leading us back toward the normal appropriations process. I am proud to be a member of her committee, and I do believe she and Senator SHELBY, the ranking Republican, are going to be insisting the Senate get back to the way it should do business. I look forward to working with her to solve the problems we are solving this week and the problems we need to solve before October 1, when the new fiscal year begins.

Let me say a few words about this moment we find ourselves in, and that there is no question that government spending is out of control. We have increased spending 19 percent since 2008. The Federal debt has skyrocketed to almost $17 trillion now. In 1981, when Ronald Reagan was sworn in as President, as part of his inaugural address we were approaching the first $1 trillion in debt in the history of the country. The illustration he gave in that speech was: If you had a stack of thousand-dollar bills 4 inches high, you would be a millionaire, but the stack to have $1 trillion would have to be stacked—those dollar bills—67 miles high. Now we are 67 miles high with thousand-dollar bills, not of dollar bills, and if every 4 inches of that were $1 million, we are 67 miles high times almost 17. And that is unacceptable.

The President's own budget office has made more than 200 recommendations of ways we could find savings through making government more efficient. More importantly, the Government Accountability Office has identified 51 areas where programs are inefficient, ineffective, and overlapping, leading to billions of dollars in wasted taxpayer money. There is simply no reason the government should stop providing essential services—which is what I want to talk about—because we are cutting 2½ percent of the budget through these line-by-line cuts that, by the way, wouldn't happen if we would budget at or below the number the law now says is the maximum dollar we can spend in any year—this year or for the next 9 years. This doesn't have to happen at all. But if it does happen, there is no reason we should have to be curtailing essential services.

The Budget Control Act didn't fail to adequately plan for how to protect these essential services. On other days, when the government is not functioning at a full level, there have been many ways found to see those employees got to work. In fact, according to several letters from the Office of Management and Budget, Federal agencies have actually been instructed not to plan for sequestration. A few days ago, I was on the floor with a letter from the Office of Management and Budget from September 28 of last year, 2 days before the new spending year starts, and the letter said: Spend your money as though the law will not be obeyed. Spend your money as though the sequestration law will never go into effect. Spend your money as though the Budget Control Act will be changed.

Of course, now we are halfway into the fiscal year and everybody has been spending as though the law isn't the law and suddenly we have these problems that are much bigger than they would have been if we had dealt with them over 12 months, but now we are trying to deal with them over a handful of months. Furlough notices are being made in a sweeping fashion. They are threatening day-to-day services that protect life and safety.

Every service the Federal Government provides doesn't affect life and safety. I am not saying every Federal job is subject to this amendment or every Federal job is critical for everything that happens every day. I recently sent the Secretary of Agriculture, Secretary Vilsack, a letter urging him to use his authority to minimize the impact of sequestration as it relates to food safety and inspection services, the so-called FSIS. The letter came out right after the USDA said they would be laying off people for as many as 15 days in the last 4 months or so of the spending year—the 4 months that would end at the end of September. It is estimated these food inspector furloughs would lead to the closure of nearly 6,300 facilities across America for the day the food inspectors don't show up.

If you happen to work somewhere for the FDA, the Food and Drug Administration, supervisor, they can show up whenever they want to, and they do that periodically. They can do that as a surprise visit. They can do lots of things. But in the facilities that are supervised by the U.S. Department of Agriculture, that inspector has to be there every day and every minute of every day for those workers in Missouri or Wisconsin or Maryland or anywhere to work.

I have been to a lot of these meat, poultry, and egg facilities, because we

have 146 of them in our State. These are hard jobs. These people are not showing up to work every day because they like to have somewhere to go. The fact is hundreds of workers, in fact, thousands of workers, could not show up for work on a given day and because the USDA inspector doesn't show up, they don't get paid for that day, and their families will suffer needlessly because we couldn't figure out how to prioritize what was necessary for those people to go to work. That is unacceptable to me.

As a result of these furloughs, the estimate is that nearly 500,000 workers will lose $400 million in wages over the course of this month. When that inspector doesn't show up, or the two inspectors don't show up at that plant that day, none of the many people who work there—and there might be a thousand people working at that plant that day—can work, none of them get paid, none of them produce the food that a few months later or a few weeks later or a few days later won't show up on the grocery store shelves in the country. And that is a problem too, but the problem I am concerned about is the working families who are affected here as well as the working families who later will see their meat, poultry, and egg prices go up because the supply is that much less than it otherwise would have been.

In his response to my letter, Secretary Vilsack claimed that ''When Congress drafted the Budget Control Act of 2011 directing Federal agencies to reduce their spending at specified levels, it included no exemption for essential employees such as FSIS inspectors.'' So today I wish to introduce the amendment the chairman has objected to—and I will introduce in the next few days a piece of legislation exactly like the amendment—and will continue to look for ways to add this amendment to this legislation.

What this amendment would do is give the administration the flexibility it claims it doesn't have. In doing so, this amendment will ensure essential Federal employees continue to provide vital services, such as meat inspectors, control tower operators, and border security guards. And here is how we would do it. In April of 2011, the Office of Personnel Management sent a detailed memo—this is President Obama's Office of Personnel Management—to each Federal agency outlining which Federal employees would be exempted from furlough during a potential government shutdown. It is my belief that the administration may still have this ability. But if they do not have it, I want to give it to them and I want to give it to them exactly as they themselves said it should be applied in April of 2011: Those employees are considered essential ''to ensure the safety of life and protection of property,'' based on language contained in this act.

My amendment would apply identical language used during government shutdown scenarios to the sequester. It defines an essential employee as an employee that performs work involving the safety of human life and the protection of property as determined by the head of the agency. This is the same language not only used in April of 2011 but used in guidance from the Clinton administration in preparation for the 1995 government shutdown, the last time when the government really did shut down.

These people showed up. These people were told to report to work. And if it was good enough for President Clinton to tell them to report to work, if it was good enough for President Obama in April of 2011 to tell them to report to work, it should be good enough now for the Secretary of Agriculture and the Secretary of Transportation and the Secretary of Homeland Security, and anyone else where these people are being furloughed to do so.

This provision provides agencies with funding flexibility so that essential services are maintained, while nonessential employees are furloughed. I think we could do this—and with the chairman's help, we will do this—in the committee, I would hope, without having furloughs necessary in the future. But this amendment would solve the problem of essential employees that both President Clinton and President Obama thought was important to deal with the last two times a similar topic came up.

I would also like to mention the second amendment, which I am not offering, so it doesn't need to be objected to. Senator PRYOR and I have an amendment that may approach this in a different way—at least from the Agriculture, Rural Development, and Food and Drug Administration Subcommittee. He is the chairman and I am the ranking member of that appropriations subcommittee, and I hope we can find a solution here.

Madam President, I suggest the absence of a quorum.

The ACTING PRESIDING pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCAIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I ask unanimous consent to address the Senate on the continuing resolution.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MCCAIN. Madam President, I come to the floor to discuss the continuing resolution we will vote on perhaps today or tomorrow.

This bill is much more than a continuing resolution and includes five separate appropriations bills. Our country now faces a $16.6 trillion debt, which is more than $52,000 for every man, woman, and child in America. It is time for Congress to go back to the business of voting on and passing annual budget resolutions, authorization bills, and appropriations bills, instead of a huge Omnibus appropriations bill such as the one before us today.

This continuing resolution includes numerous examples of egregious porkbarrel projects as well as billions in spending that was never authorized by the appropriate committee and not requested by the administration. The American taxpayer expects more and deserves more than what we are giving them in this bill.

One unfortunate example of Congress overstepping in this CR is the ongoing inclusion of an appropriations rider that prohibits the Postal Service from moving to 5-day mail delivery. This congressional mandate was put in place in 1984, and it is a roadblock, keeping the Postal Service from transforming the way it delivers mail while still being able to provide universal service. The Postal Service lost $1.3 billion in the first quarter of this year and recorded a loss of $15.9 billion in fiscal year 2012. So what are we telling them to do? Business as usual.

With the reality that the Postal Service will continue with devastating and unsustainable losses, the Postmaster General announced last month that the Postal Service would move to 5-day mail delivery later this year, which he estimates will save $2 billion annually. However, some in Congress who have decided they know better than the leadership of the Postal Service are moving to prohibit the Postal Service from modernizing and transforming the way it does business.

Congress must accept the fact that the Postal Service's current way of doing business is no longer viable. We now correspond by e-mail. We now correspond by different methods. It was terrible when the bridle-and-saddle business went out on the advent of the automobile. Things and times have changed. A huge percentage of the mail delivered today is what we call junk mail advertising. It is no longer the primary way Americans—and people in the world, for that matter—communicate. The American public conducts business in a different way than even 5 years ago. We have to allow the Postal Service to adapt to changing times in order to have a Postal Service in the future, and this includes 5-day mail delivery.

The Postal Service loses $1.3 billion in the first quarter, $15.9 billion last year, and do we come up with a fix for it? Do we address the issue? Of course not. There is nothing in this bill that would change that debt. There is nothing in this legislation that fixes the broken Postal Service. But there is a prohibition from them going to 5-day mail delivery which would save $2 billion. Now, you still have about $13.9 billion left over, if it is like last year.

So here we are telling the Postal Service they can't go to 5-day delivery, but we have no fix for this problem.

And who picks up the tab? Obviously, eventually it is the American taxpayer. No wonder they view us with certain disdain.

In addition to this rider, the bill includes porkbarrel spending for things such as—and I am not making them up. Here we are with this debt of $16.6 trillion, and we are going to spend $65 million for the Pacific Coast salmon restoration for States, including the State of Nevada. I am not making that up, $65 million for the Pacific Coast salmon restoration, including in Nevada—a program that even President Obama mocked in his 2011 State of the Union Address; $14.7 million for the U.S. Department of Agriculture Watershed Rehabilitation Program, which the administration has suggested eliminating for years—$993,000 in grants to dig private wells for private property owners; $10 billion for the U.S. Department of Agriculture's high energy cost grants programs that go to subsidize electricity bills in two States: Alaska and Hawaii; $5.9 million for the USDA's economic impact initiative grants.

The economic impact initiative grants have become slush funds for local governments to do such things as rehab an exercise room, renovate a museum on the Pacific Island of Palau, and buy kitchen equipment for city government offices.

Now I would like to talk a bit about defense spending. This is probably the most painful part of my comments, and I will explain why later on.

Defense spending includes over $6 billion in unrequested or unauthorized funding for programs for the Department of Defense. At a time when the Department of Defense is facing the impact of sequestration, on top of the $487 billion in cuts directed by the President, we can't afford to spend a single taxpayer dollar on programs that are not a priority for the Defense Department and our national security.

The following things are beginning to happen now that the Department of Defense is under sequestration: The Navy was unable to deploy the USS *Truman*, an aircraft carrier, to the Middle East at a time when the centrifuges in Tehran are spinning; 80 percent of the Army's nondeploying brigades have reduced readiness; Army base operations have been reduced 30 percent; the Navy is reducing flying hours on deployed carriers in the Middle East by 55 percent and shut down all flying for four of the nine carrier air wings. If funding is restored, returning to normal readiness will take 9 to 12 months and cost two to three times as much.

The Air Force is delaying planned acquisition of satellites and aircraft, including JSF and the AC–130J, which will increase the future cost of these systems. And the Commandant of the U.S. Marine Corps has said:

> By the end of this year, more than 50 percent of my tactical units will be below minimal acceptable levels of readiness for deployment to combat.

My friends, here we are spending money on this kind of junk, on this kind of pork, while the Commandant of the Marine Corps says by the end of this year more than 50 percent of his combat units will be below minimal acceptable levels of readiness for deployment to combat? In what kind of parallel universe are we residing?

Instead of trying to remedy these drastic reductions to our military strength, the appropriators are willing to overstep the authorizers and defense leadership and provide increased funding for nonessential programs that are clearly not a national security priority. The Armed Services Committee went to great lengths last year to authorize defense spending for the most critical national security requirements as proposed by the President and defense leadership.

Last week I offered an amendment, which was approved by a very narrow margin, that removed funding in the bill for civilian infrastructure—not military infrastructure, mind you, civilian infrastructure—for Guam. This earmark for Guam directly contravened the explicit direction provided by the Armed Services Committee of the Senate and the House of Representatives in the conference report on the fiscal year 2013 National Defense Authorization Act and, in my opinion, is a clear example of abuse of the appropriations process. I say to my colleagues, we are not going to stand for it. I say to my friends on the Appropriations Committee, we will not stand for this.

Funding for the STARBASE Program. This ''nice to have but not necessary to have'' program will receive $5 million. According to its Web site, STARBASE focuses on elementary students, primarily fifth graders. The program's goal is to motivate these students to explore science, technology, engineering, and math as they continue their education. Military volunteers apply abstract principles to real-world situations by leading tours and giving lectures on the use of STEM in different settings and careers.

I am sure that is a nice thing to happen. I am sure STARBASE is nice so that fifth graders are able to hear from members in the military. Meanwhile, we can't deploy an aircraft carrier. With a war going on, a budget crisis at our doorstep, this is how we elect to spend our taxpayers' defense money.

Another example is $11.3 million in increase for the Civil Air Program or CAP. CAP is a volunteer organization that provides aerospace education to young people, runs a junior cadet program, and assists, when possible, by providing emergency services. Its members are hard working. We are grateful for their voluntarism.

This year, as in the past, the Senate Armed Services Committee authorized the President's request for CAP funding. However, CAP is an auxiliary and should not operate to the detriment of the U.S. Air Force. To succeed at their missions, the Air Force must be able to fly and train at locations such as Luke Air Force Base, which is threatened with reduced flight hours and the closure of two local control towers that could impact air safety around the base. By diverting additional funds—not the primary funding but additional funds—to the Civil Air Patrol from Air Force operations and maintenance accounts which pay for the training and flight operations that keep the Air Force in the sky, we are imposing greater risk on our men and women in uniform.

The bill includes $154 million for Army, Navy, and Air Force ''alternative energy research'' initiatives. This type of research has yielded such shining examples as the Department of the Navy's purchase of 450,000 gallons of alternative fuels for $12 million, which is over $26 per gallon. Alternative energy research might be necessary, but shouldn't the Department of Energy do it? Why should the Department of Defense do it, when we cannot fly our airplanes?

Section 1822 prohibits the retirement of the C–23 Sherpa aircraft. The Army is currently retiring or divesting the remainder of its fleet of old, limited-duty C–23s, all of which are flown by the Army National Guard. The Army neither wants nor needs these aircraft. The Air Force neither wants nor needs these aircraft. Last year the Congress granted the Army authority to give these planes to any State Governor who wanted them. Guess what. No takers. Now we prevent the Army from retiring these limited-utility aircraft.

Another provision provides $15 million for an ''incentive program'' that directs the Department of Defense to overpay on contracts by an additional 5 percent if the contractor is a Native Hawaiian-owned company. If there were ever an example of the special interest pork barrel spending that goes on in this body and infuriates the American people, it is this—$15 million of Americans' tax dollars is going to any Native Hawaiian-owned company to give them an additional 5 percent if they are a contractor. Here we are, spending all our time trying to eliminate the waste and inefficiency in defense contracting, and we are now spending $15 million to overpay them if—if they are a Native Hawaiian-owned company.

It will make it easier for the Department of Defense to enter into no-bid contracts for studies, analysis, and unsolicited proposals. The language in the bill makes it ripe for wasteful spending and earmarks for pet projects. For example, the Department of Defense may eliminate competition and use a no-bid contract for a ''product of original thinking and was submitted in confidence by one source.'' If there were ever an example of how pork barrel and earmark spending begins—''for a product of original thinking and was submitted in confidence by one source.''

Another section requires the Secretary of the Air Force to continue

procuring C–27J Spartan aircraft despite the Air Force's intent to end production and divest these aircraft, and $24 million to continue development on ACS, which was a canceled Army reconnaissance aircraft program.

Another goody for defense contractors: There is a recurring provision in the bill that allows Alaska Native corporations to circumvent the rules of the Office of Management and Budget that would otherwise require them to follow an open and fair competition process in order to obtain Department of Defense contracts.

The Department of Defense has a history of awarding billions of dollars in large, sole-source, no-bid contracts to Alaska Native corporations abusively. This matter has been well documented by the Senate subcommittee on contracting, the inspectors general of the Department of Defense and the Small Business Administration. The Washington Post ran a series on the Alaska Native corporation contracting. Last year the Government Accountability Office found that the Department of Defense expeditiously awarded two $500 million, 10-year contracts using this same provision in a past appropriations bill.

Several of us on the Armed Services Committee and the Senate Homeland Security and Governmental Affairs Committee have been trying to ensure that contracts to ANCs undergo extra scrutiny. It does not help that this bill is working against the American taxpayer while Congress should be working to make sure the Department of Defense acquires what it truly needs as economically as possible through competition.

There is $48 million in funding for the Defense Department to do research dealing with Parkinson's disease, neurofibromatosis, and HIV/AIDS research. This research is important. It has no place in a Department of Defense bill. It should be funded by the National Institutes of Health, not the Department of Defense.

I ask unanimous consent to have a long list of unspecified and unauthorized and unnecessary and wasteful pork printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

Additional DoD funding above the requested and authorized levels include:

$18 million for unspecified ''industrial preparedness''

$567 million for ''unrequested'' medical research

$9 million for unspecified radar research

$48 million for computing research

$20 million for university research initiatives

$45 million for IMPACT AID to civilian elementary and secondary schools

$139 million for CH–47 helicopter procurement and modifications

$110 million to modify National Guard UH–60 helicopters

$199 million for new National Guard UH–60 helicopters

$300 million for new Patriot Missile systems

$100 million for National Guard Humvees

$66 million for laser range finders

$605 million to procure 11 additional F–18 aircraft

$79 million for a Navy Reserve C–40 aircraft—the military version of a Boeing 737

$130 million for two KC–130J aircraft

$55 million for one C–130J aircraft (amount)

$126 million for two HC–130J aircraft

$126 million for two MC–130J aircraft

$107 million for RQ–4 unmanned aerial vehicles

$62 million for Air National Guard F–15 aircraft radar upgrades

$189 million for 17 additional SM–3 missiles

$7 million for Civil Air Patrol program increase

$27 million for Army, Navy, and Air Force nanotechnology research

$26 million for materials research

$71 million for one additional V–22 Osprey aircraft

$80 million for additional Marine UH–1Y and AH–1Z Cobra helicopters

$20 million for upgrades to SH–60 Sea Hawk helicopters

$15 million for ''weapons and munitions technology''

$20 million for ''electronics and electronic devices''

$13 million for ordnance research

$13 million for military clothing technology

$39 million for Army, Navy and Air Force battery research

$19 million for ''missile and rocket technology''

$20 million for university research initiatives

$9 million for unspecified radar research

$32 million for a bone marrow registry program

$7 million for a ''tactical athlete program''

$10 million in small business giveaways as part of the Littoral Combat Ship program

$15 million in small business giveaways as part of the Virginia class submarine program

$15 million in small business giveaways as part of the Multi-Mission Maritime Aircraft program

$10 million in small business giveaways as part of the MK–48 torpedo program

$80 million for the Space Based Infrared System satellite program

$9 million for directed energy technology

$20 million for the Air Force's manufacturing technology program

$105 million for the Operationally Responsive Space program

$25 million for the Evolved Expendable Launch Vehicle Program

$35 million for the Space Test Program

$20 million to research ''anti-tamper technology''

$20 million for the Air Force to research coal-to-liquid fuel.

$8 million to modify Navy Close-In Weapons Systems

$778 million for advance procurement funding for one Virginia class submarine

$1 billion for one additional Arleigh Burke class destroyer

$263 million for advance procurement of one Amphibious Transport Dock ship

$13 million for submarine research and technology

$40 million for shipyard capital investments

Mr. MCCAIN. It is disgraceful. I see that my colleague from Texas is waiting to talk. This is absolutely unbelievable. All of this long list of billions of dollars of spending can only be considered as how obscene it is by listening to what the impacts of sequester have already been on the men and women in the military.

Sequester so far canceled four brigade exercises of training of the Army—that has been canceled. It reduces the base operations, the normal day-to-day operations of the base, by 30 percent; cancels half a year of helicopter and ground vehicle depot maintenance; stops postwar repair of 1,300 vehicles and 17,000 weapons. It reduces the readiness of the Army's nondeploying brigades and stops tuition assistance for all Active-Duty and Reserve men and women in the Army.

In the Navy, it cancels several submarine deployments; reduces flying hours on deployed carriers in the Middle East by 55 percent—and believe me, my friends, unless they are able to operate and train, they are not safe and they are not capable. It reduces the western Pacific deployed operations by 35 percent; nondeployed Pacific ships lose 40 percent of their steaming days; reduces Middle East, Atlantic, and Mediterranean ballistic missile defense patrols. It shuts down all flying of four of our nine carrier air wings—that has been shut down 9 to 12 months. It will take 9 to 12 months to restore normal readiness at two to three times the cost. It cuts all major exercises that are going on and defers emergent repairs; the USS *Truman* deployment to the Middle East delayed indefinitely; the Eisenhower carrier deployment extended indefinitely; the USS *Nimitz* and *Bush* carrier strike force will not be ready for scheduled 2013 deployments.

The Air Force—likely to prevent the Air Force's ability to achieve the 2017 goal of being fully auditable; over 420 projects at 140 installations across the Air Force are canceled; affects runway repairs and critical sustainment projects; delays planned acquisition of satellites and aircraft; reduces flying hours for cargo, fighter, and bomber aircraft.

In the Marine Corps, the Marine Corps is unable to complete the rebalancing of Marine Corps forces to the Asia Pacific region. It will cause 55 percent of the U.S. Marine Corps aviation squad to fall below ready-to-deploy status. Over half of the aviation squadrons in the U.S. Marine Corps are not ready to deploy. The U.S. Marine Corps will not be able to accomplish planned reset of equipment returning from overseas. Depot-level maintenance will be reduced, delaying reset ability by 18 months and reducing readiness of nondeployed forces. Facilities will be funded at 71 percent of the requirement.

Most important—maybe Members of Congress do not have a lot of credibility. Maybe that is understandable. I will leave that up to the American people to judge. I do think we respect the Commandant of the Marine Corps and what he had to say. I repeat:

By the end of this year, more than 50 percent of my combat units will be below minimum acceptable levels of readiness for deployment to combat.

Over the weekend, there was a gathering in our Nation's Washington, DC, area of a group of our conservative

Americans and members of the Republican Party, and references were made to people who were too old and moss-covered, that we need new and fresh individuals and ideas and thoughts. I agree with all of those—every bit of those recommendations and comments that were made.

But there is a little bit of benefit of having been around for a while. My friends, I will tell you right now, I have seen this movie before. I saw it after the Vietnam war. When the Vietnam war was over, Americans were war-weary. We had been driven apart in a way that was almost unprecedented in our history—certainly maybe as far back as our Civil War. America was torn apart.

The first casualty of that was our military. Our military was cut and cut and cut, to the point where, in 1979, I believe it was, the Chief of Staff of the U.S. Army came before Congress and testified. It was kind of a seminal moment. He told the Congress and the American people that we had a ''hollow Army'' that would be unable to defend this Nation adequately.

It also happened to coincide with when a group of brave Americans were being held hostage in the Embassy in Tehran, made famous by a fantastic movie called ''Argo.'' Along came a guy named Ronald Reagan who promised that we would restore our military, that we would restore our capability, that we would make America the leader in the world again, and a simple phrase called ''peace through strength.''

I want to tell you what we are doing with this sequestration. What we are doing with this sequestration is an exact replay of what we did after the Vietnam war. I understand that the American people are war-weary. I understand that there are savings that can be made—large savings made in our defense spending. But to do it like this puts the security of this Nation in jeopardy.

We are blessed with the finest military ever in our history. I say that with great respect to my predecessors who fought in previous wars. Our All-Volunteer Force is the best this Nation has ever produced. It is the best of America. We all know that. Do you know what is happening to them right now? I will tell you what is happening to them right now because I talk to them all the time. They don't know where their next deployment is going to be. They don't know if they are going to be adequately trained to defend this Nation. They have lost confidence—they have lost confidence in the leadership of this Nation. And the good ones, the really good ones, are getting out. They are not going to stay in a military in which they believe there is no future and they are unable to defend this Nation. I tell my colleagues that. Ask anyone in the military today—junior officer, senior officer, senior enlisted person—and they will tell you they are disgusted with what is going on.

The least we can do is give them the ability to train and to operate to defend this Nation. This sequester and this legislation we are considering is a direct contradiction to everything we have said and promised them that we would do for them when they agreed as a volunteer to serve this Nation. It is a shameful period in the history of this Congress, the Presidency, and the way we have gone about this business. We will maybe—very likely—pay a very heavy price.

The ACTING PRESIDENT pro tempore. The Republican whip.

Mr. CORNYN. Madam President, President Obama recently told the Speaker of the House of Representatives that we do not have a spending problem. Last week he told ABC News that we do not have an immediate crisis in terms of the debt. These comments indicate that the President just does not seem to understand the negative impact of $16.5 trillion in debt on our economy.

For that matter, based on the new budget, Senate Democrats do not seem to get it either. Not only would the budget that was passed out of the Senate Budget Committee last week raise taxes by an additional $1.5 trillion, it would also increase Federal spending by roughly 60 percent and increase our national debt by $7.3 trillion.

I should say that as bad as it is, the budget that was passed out of the Budget Committee last week represents progress. How could I possibly say that? Because it has been 1,419 days since the Senate has passed a budget under Democratic control. So I guess we could say actually passing a budget out of the Budget Committee and having the budget come to the floor this week represents progress.

The reason I said Democrats have raised taxes again—or proposed an additional revenue increase in this budget—is because they already did so previously by $1 trillion with the passage of ObamaCare. In my experience, ObamaCare is unique compared to other legislation we have passed here. We passed it in 2009 and early 2010. Many of its provisions have yet to even kick in, and some of the provisions—including the tax increases—will not kick in until 2014. As I said, it will raise taxes by an additional $1 trillion.

Earlier this year—we know as a result of the fiscal-cliff vote at the end of December—there was an additional $620 billion tax increase at that time, but apparently that was not enough. There is an important lesson here. For those who believe that bigger and more government is the answer to every problem that confronts our country, more taxes is never enough. In fact, the Leviathan is insatiable.

This debate comes down to a basic philosophy in how we should govern ourselves as a free people. Our friends on the other side of the aisle seem to be focused incessantly on the government and growing the government in the hope that if the Federal Government spends enough money—even if the money is borrowed from our creditors—some of that might trickle down into the private sector economy. Meanwhile, this side of the aisle fundamentally believes it is the job creation in the private sector which helps grow the economy and creates opportunity and prosperity. We look for ways to rein in wasteful Washington spending to a more sustainable level so it stops hampering private sector investment and job creation.

I wish to ask President Obama: If we don't have a spending problem, why is it we have accumulated more than $6 trillion in additional debt since you took office about 4 years ago? If we don't have a spending problem, why is it we still have $100 trillion in unfunded liabilities because of programs that literally are not funded into the future? Why is it that today we are spending more than $200 billion a year on interest payments on the debt? We cannot borrow $16.5 trillion interest free. Even at the low interest rates we have today, we are paying $200 billion a year on interest on that debt.

Is the President arguing we should postpone measured spending cuts and measured entitlement reforms until we have experienced a full-blown European-style meltdown? I hope not. I don't think so because that would be grossly irresponsible. I will remind the President and his allies that after $4 trillion in deficits—that would be the annual difference between what we bring in and what the government spends. After four times in a row of deficits that are more than $1 trillion, after more than $1.6 trillion in tax increases, after hundreds of billions of dollars worth of new regulations, our country is mired; we are mired in the longest period of high unemployment since the Great Depression. That is a direct consequence of this huge debt and our creditors' lack of confidence that we are actually serious about dealing with it.

Indeed, many workers have simply given up on finding work, which is one reason why our labor force participation rate is now at a 32-year low. Unemployment is almost 8 percent, but that doesn't take into account the millions of people who have simply given up looking for work after a long period of unemployment.

Since June 2009 when the recession officially ended, median household income has fallen by more than $2,400. So instead of treading water, the average American family is seeing their buying power decrease by more than $2,400 since 2009. At the same time they are finding that not only are their taxes going up with the return of the payroll tax to its previous level, but they are finding their costs for gasoline, food, and the other necessities of life are going up. Does this sound like an economy that can stand another massive tax increase? I don't think so.

President Obama said to ABC News that we should not try to balance the

budget ''just for the sake of balance.'' Well, once again, the President was knocking down a straw man. We weren't talking about doing something symbolic; we were talking about doing something real, something that would benefit the economy and job growth and getting people back to work instead of dependency, which I know none of them want. We see more and more people on food stamps, more people receiving disability benefits, and more people on unemployment. These are people who would like to get back to work and regain their sense of dignity and self-sufficiency, but because the economy is growing so slowly, they cannot do that. We believe that balancing the budget and reducing our debt burden is absolutely essential to long-term economic growth—long-term economic growth—which creates more jobs, more taxpayers, and people who are actually putting money into the Treasury to help us balance our deficits.

We also believe that balancing the budget and reducing our debt burden is essential to saving important programs our seniors depend upon, such as Medicare and Social Security. If we want to remain an opportunity society with high levels of upward mobility—something we call the American dream—we must act sooner rather than later. The longer we delay, the more expensive and the more difficult the challenge of fixing these problems will become. Again, the basic question is: Are we more concerned with growing the job-creating private sector or with growing the Federal Government?

The budget that passed out of the Senate Budget Committee—along a party-line vote with strictly the votes of Democrats—last week makes it clear they are ultimately more concerned with growing the Federal Government. We will have a chance on the floor of the Senate this week for Democrats and Republicans alike to offer amendments and get votes, which I think will provide a lot of clarity to the contrasting approaches of the major political parties.

We have simply had the weakest economic recovery since the Great Depression, and so it is now time to do something different. I cannot recall who the original author was of the saying that the definition of insanity is to do the same thing over and over again and to expect different outcomes. Well, if that is the definition of insanity, that is what is happening here in the U.S. Congress. It is time to put economic growth ahead of government growth.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. HIRONO). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, I want to bring my colleagues up to date on where we are. Right now the vice chairman of the committee, Senator SHELBY, and I are in conversation on some possible agreements we could make on the outstanding amendments so we can get them down to a manageable list. We are waiting for his arrival. He was at the airport, and we have been in communication. Our conversations have been constructive. When Senator SHELBY arrives, we look forward to perhaps presenting something to the Senate that will give us a clear path on specific amendments.

While we are waiting for that, I ask unanimous consent to speak as in morning business about some very sad events that occurred in Maryland.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MIKULSKI. Madam President, over the weekend, we in Maryland were saddened by three separate yet poignant deaths.

CPT Sara Cullen, one of our very own—a wonderful woman who served in the U.S. military—died in Afghanistan. Kristina Quigley, a young woman who showed enormous promise, was killed in an awful bus crash. She was the lacrosse coach at Seton Hill. Also, someone beloved to so many of us, Larry Simns, was the head of the watermen's association. For those who are from different parts of the country, they are called fishermen's associations. For people who enjoy Maryland crabs and oysters, they are harvested by the men who sail the Chesapeake Bay in open waters. The head of their association was Larry Simns.

I wish to talk briefly about all three.

HONORING OUR ARMED FORECES

CAPTAIN SARA KNUSTON CULLEN

Captain Cullen died on March 11 from a crash in a UH–60 Black Hawk helicopter in the Kandahar Province in Afghanistan. It was during a training mission in a very heavy rain. She was assigned to headquarters and the combat aviation brigade. She was a wonderful woman with enormous promise. She was a graduate of the U.S. Military Academy. She graduated from West Point in 2007, and she got married very recently to another pilot, Chris Cullen.

I want to comment that we in Maryland mourn the loss of Captain Cullen. She was well known and well regarded here locally in Carroll County. She went to a school called Liberty High School. Isn't that a great name? She wanted to go to West Point. She was not nominated by me but by another member of the Maryland delegation. We try to share that responsibility in order to maximize our talent. I know the gentlelady from Hawaii does that as well. We have so much talent in Maryland, we don't want to waste one nomination, so we all work together.

By all accounts, Captain Cullen was on her way to being an outstanding officer with a deep commitment to her country. Friends and family of hers in Eldersburg, a community in Carroll County where she grew up, said she was dearly loved.

''She was always looking for the next adventure, the next challenge, and the next task to being a better person,'' said her best friend Katie Owens.

NATO told us of the crash last week, and I was mortified about this over the weekend. On behalf of all of Maryland, we want to extend our condolences to her husband, to her family, and to her parents, who obviously gave her a great home and saw to her education. It is a sad day when we lose somebody in Afghanistan, and it is a very sad day for those of us in Maryland.

REMEMBERING KRISTINA QUIGLEY

We also remember another wonderful woman by the name of Kristina Quigley. Kristina Quigley grew up in a community called Dundalk. Dundalk is a blue-collar suburb outside Baltimore City. She went to Dundalk High School and then to Duquesne and then, because she was a great athlete, she went on to a sports career in college at Duquesne and then fulfilled a dream of hers to be a coach.

On a road trip of the college women's lacrosse team, there was a terrible accident on the Pennsylvania Turnpike. The bus went off the road and she was, obviously, sitting in a place where she received one of the first impacts. She was only 30 years old. She was married with a young child. She was 6 months pregnant at the time of the accident. Her unborn child perished as well.

This is very sad. There were many who were injured on this bus. Several were from Maryland who were also members of the team, and the assistant coach is also from Maryland. The assistant coach is from Baltimore. There were 23 students on board when this happened in Cumberland County. We are now awaiting details. We are now awaiting the investigation. But it is a very sad day when this promising young woman with the world ahead of her who, by all accounts, was not only an athlete who could teach athletics, but she was an inspirational leader. Girls and young women just loved her. Lacrosse is a tough sport to play. They were on their way to a great game. Seton Hill is a great Catholic college. There was excitement on the bus, anticipation, and we are sorry about this terrible tragedy.

Again, we extend our heartfelt condolences to her parents who live in Baltimore and to her husband who lives on the Seton Hill campus.

REMEMBERING LARRY SIMNS

In addition, because each one has a story, is my own pal and good friend Larry Simns. Larry Simns was a great Marylander. His official name was Lawrence Simns, Sr., and he passed away Thursday. He fathered three children. He had 5 stepchildren, 12 grandchildren, and 3 great-grandchildren. He was a friend to a host of people up and down the Chesapeake Bay. If you were involved in cleaning up the bay or

making sure the people who live alongside the bay had jobs, you knew Larry Simns. He was a true champion. For me, he was a wonderful adviser on how we could clean up the bay but ensure that our watermen could continue to work on the bay.

We have been plagued over the last several years with the declining of our species, including our crabs and our oysters. If we want to save them, it means rules and regulations. If my colleagues know our watermen, they know they are kind of like the Wild West guys who want to ride the range. They don't like rules and regulations. They are not rules and regulations kind of guys, but they also know we have to be able to save the species.

For decades Larry himself saw the bay's declining health: poor water quality, fewer fish and crabs, barren oyster reefs. Then he worked with me to help the watermen navigate through these tough environmental factors, tough economies, and stiff regulations. He did not have an easy job, but he approached it with such tenacity, such persistence, and in such a way where he spoke with humility about what God had given us, this spectacular Chesapeake Bay, and how we had to preserve it and the jobs. He became an unlikely spokesman because, he said: I am not much for words; you know me. We did know him and he spoke eloquently for these men and women.

I worked very hard with the watermen on how we could help them clean up the bay, along with Senator CARDIN and the Members of the House delegation, and worked with our watermen and worked with our scientists studying the bay so we could make sure we could preserve the livelihoods and heritage of the bay and the men who work on it. Fortunately, working together, we were able to do many wonderful things. But we could only do it because Larry Simns was such a great advocate.

We are going to miss him. I just can't believe Larry will not be with us anymore. When I first came to the Senate—now over 20-some years ago—Larry was one of the first to reach out to me, to help me learn the ways of the watermen, learn what they were up against, including tough weather, harsh working conditions, escalating fuel prices, because our men and women go out on those waters using boats that consume diesel oil, and, again, the declining species. But working together, we were able to accomplish a lot.

So I wish to say to his family: Thank you for lending Larry to us, because he spent much time in government meetings, regulatory hearings, sitting with me at Fisherman's Inn or pulling the watermen together for a roundtable so we could talk things over to find a sensible center to preserve their jobs and still have the smart science and smart regulations. We want to thank Larry for all the time he put in, taking a very green Senator—and by green I don't mean only in the environmental sense but as a new Senator—and helping me learn the ways of the people because we want to preserve their way of life.

It is a sad day. It is a sad day for all of us. So when Memorial Day comes and the restaurants open and piles of Maryland crabs start coming in and the restaurants start serving the steamed crabs and so on, I just want to say this: Larry, wherever you are, whenever I pound the crab claw, I will be thinking of you and all you meant in terms of what we did to be able to create jobs, clean up the environment, and be able to keep our way of life going on the Chesapeake Bay.

The Presiding Officer can see we had three great Marylanders, each doing a very different thing. But what I am so proud of with Captain Cullen, Larry Simns, and Kristina Quigley is that each in their own way was trying to make a difference, one to protect America, the other to protect jobs and a way of life on the Chesapeake Bay, and the other to inspire young women not only to be ready for the playing fields of lacrosse but for the playing fields of life. All three in their own way were inspirational leaders. All three in their own way made a difference in the lives of the people I came in contact with. I wish to say God bless them and God treat them kindly and may their souls rest in peace.

I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. I ask there be order in the Senate.

The PRESIDING OFFICER. The Senate will come to order.

Mr. REID. Madam President, I am going to propound a unanimous consent request. Everyone has to look at this from way up high and understand how much has been accomplished during the last week. Senator MIKULSKI and Senator SHELBY have worked very hard to change the bill that came from the House of Representatives, and they have done a good job, a really good job. People have requested further changes to the bill, and we have tried hard. I say ''we,'' I have gone to Senator MCCONNELL many times, Senator MIKULSKI, Senator SHELBY, and others trying to come up with some way to move forward on this legislation.

There is a big spotlight on the Senate to see if we can do something. Whatever we come up with, what MIKULSKI and SHELBY, what they have come up with, it is not perfect. I could improve it. The Senator from Tennessee could improve it. Anyone in this body could improve what they did, but they did the best they could—and it was hard.

Both of these Senators gave up things that help them in their States. They worked together on Commerce-State-Justice for many years. They know that subcommittee better than anyone has ever known that subcommittee. They both have many issues within their States that are affected by that subcommittee, but they gave that up for the greater good.

I am asking Senators here to give up a few things for the greater good, to try to allow us to get this done. The reason this is important is it will allow us to go forward and start having appropriations bills. We changed the rules at the beginning of the year to make it easier to go to certain bills, and what we had in mind was appropriations bills.

It has been hard to come up with this. I repeat, is it really, really good? No, probably not. But it is not bad.

I hope we could approve this unanimous consent request. We would have nine votes on matters that people believe are really important. There are other people who have things that are just as important, but this is legislation, the art of compromise.

Madam President, I ask unanimous consent that the two cloture motions be withdrawn; that the following amendments be in order to the Mikulski-Shelby substitute: Coburn No. 69, Coburn No. 93, Coburn No. 65 as modified with the changes that are at the desk, Coburn No. 70 as modified with the changes that are at the desk, Inhofe No. 72 as modified with changes that are at the desk, Grassley No. 76 as modified with changes that are at the desk, Mikulski-Shelby No. 98, Leahy No. 129 as modified with changes that are at the desk, and Pryor-Blunt No. 82; that no other first-degree amendments to the substitute or the underlying bill be in order and no second-degree amendments be in order to any of the amendments listed above prior to the vote; that there be 30 minutes equally divided between the two leaders or their designees prior to votes in relation to the amendments in the order listed; and that upon the disposition of Leahy No. 29 as modified, the Durbin second-degree amendment to Toomey amendment No. 115 be withdrawn; that all the amendments be subject to a 60-affirmative-vote threshold; that the Senate proceed to vote in relation to the Toomey amendment No. 115; that upon disposition of the Toomey amendment, the Senate proceed to vote on the Mikulski-Shelby substitute amendment, as amended; that if the substitute amendment, as amended, is agreed to, the Senate proceed to vote on passage of the bill, as amended.

It is my understanding that the Toomey amendment has a point of order against it; is that right? I make that request.

The PRESIDING OFFICER. Is there an objection? The Senator from New Hampshire.

Ms. AYOTTE. Madam President, I reserve the right to object. I have filed an amendment. I filed it last week. It

is a reasonable amendment that both sides have been aware of. It is one that is also germane. It is to strike funding, $380 million in funding from the continuing resolution for a missile defense program that will never protect a single warfighter. It is a medium extended air defense system. In fact, it has been called a missile to nowhere, and my amendment would transfer those funds to operation and maintenance so they could be used for our warfighters, particularly as sequestration is pending, for real purposes instead of a program we will never realize anything from, that would protect our warfighters. I reserve the right to object.

Mrs. BOXER. Do you object?

Mr. REID. The Senator has not objected; is that right?

Ms. AYOTTE. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, this is over with. There has been objection. I regret the Senator has objected to this reasonable request. It really is reasonable. I understand how strongly the Senator from New Hampshire feels about the issue. I am aware of the issue. I understand it very well. I have talked to a number of Senators. I can't get them to agree to this. They may be wrong, she may be right. She may be wrong, they may be right. I cannot make that decision. I cannot go forward if somebody doesn't agree to this.

Putting together a unanimous consent agreement like this, as I indicated, certainly has not been easy. The people I have empathy for are these two Senators here. They are veteran legislators. They have dedicated a large part of the last 2 weeks to this legislation.

We could have an alternative. We could just vote for what the House sent us. All the work they have done—down the drain. There are scores of Senators—and I say that plural—scores of the 100 Senators who have benefited from the work they have done. It has helped them in their States. It has rearranged things. What they have done does not spend any more money. We are spending the same amount of money the House did. But the House was very emphatic that they would not allow flexibility on nondefense matters. They have some control over what we do.

I just think it is such a shame that there is an objection preventing the Senate from being able to consider these amendments. There are nine amendments. This is a must-pass measure so we will need to move this Senate bill through the Senate back to the House to avoid the government shutdown. I think it is a shame, but that is where we are.

I ask unanimous consent that the Senator from Maryland, Ms. MIKULSKI, be recognized for up to 5 minutes, and the Senator from Alabama be recognized for up to 5 minutes prior to the vote on cloture.

The PRESIDING OFFICER. Is there objection?

Mr. MORAN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Madam President, had the Senator from New Hampshire not objected to the previous request for unanimous consent, I would have objected. I want to use this moment just to point out that an amendment that is, in my view, so critical to the air safety of our country, the traveling public's ability to feel secure and safe in their travel, was not included in the request for unanimous consent. This is an amendment that would transfer money to allow the air traffic control tower program to continue.

While the majority leader has requested that there be magnanimity, that there be reasonableness, in my view, in the absence of this amendment being included, come April 7 those air traffic control towers are closed. And even I, as a member of the Appropriations Committee, will have no ability to reverse course once they are closed. So this program faces an immediate deadline.

Had the Senator from New Hampshire not objected previously to the unanimous consent request, I would have on that basis. I have no objection to the request that time be given to the chair and the ranking member of the committee.

Mr. REID. Mr. President, my consent has been agreed to. In response to my friend from Kansas, everyone can give a heart-rending speech. We have tens of thousands of children who will not able to go to Head Start. I think that is pretty compelling. There are many other people in this body who could give a tearjerker—just like the Senator tried to do.

This is about compromise. We are trying to work through this so we can continue to fund the government and set up a pattern in this Congress so we can have appropriation bills for 2014.

The PRESIDING OFFICER (Mr. DONNELLY). Is there objection to the request?

Without objection, it is so ordered.

The Senator from Maryland.

Ms. MIKULSKI. Mr. President, I rise to ask all of my colleagues on both sides of the aisle to vote for cloture on the Senate bill. I want to say to my colleagues, we have come very far on this bill, and as of Thursday we had 126 amendments. I love the Senate. We love to talk, and we love to amend. Everyone has, in many instances, outstanding ideas to improve the bill. We are now at the point where we have dueling amendments. We have matters of policy to discuss, but we are now at the point where the bill must come to a close, and that is why we proposed this limited number of amendments. Some of my colleagues have amendments on the issue related to flexibility.

If I could ask the Senator from Kansas a question, it is not that we dispute what the Air Force is going to face or what our poultry farmers are going to face. Both sides of the aisle—whether it is BLUNT of Missouri, ISAKSON of Georgia, PRYOR or BOOZMAN of Arkansas, or MIKULSKI and CARDIN of Maryland, chicken is the mainstay of our eastern shore. We are all facing this.

In my original underlying bill, I had a 1-percent transfer authority subject to the approval of Congress that would have solved all of these problems. It was the other Chamber—and even those on the other side of the aisle—that insisted I remove that from this bill. For all of those who wanted flexibility, I wanted to fix it. We could not fix it. Believe me, I wanted to fix it. Each and every one of these individual amendments has merit in and of itself.

We are now at the point where we have to decide whether we want the Senate bill to stand and be voted on with further amendments subject to the Parliamentarian determining what is germane and therefore eligible for consideration or do we want the House bill? It is as simple as that.

We have come so far. I want to thank the vice chairman, Senator SHELBY, his staff, and all the clerks on the other side of the aisle for working so assiduously.

We have to decide: Do we want to make the perfect the enemy of the good? Do we want to have a bill that substantially improves the House bill? It does not accomplish every objective we want, but, in fact, does do several things.

No. 1, it would avoid a government shutdown. Say what, Senator MIKULSKI? Avoid a government shutdown? We could show that we could actually govern and that we could actually pass a bill that I believe the House will accept as well. Hallelujah. That in and of itself would be a major accomplishment. We would have taken the House bill and we would have made substantial improvements that I think both sides of the aisle agree are important. We could get that done. The question is: Can both sides of this Chamber take yes for an answer? If we take yes for an answer, again, we avoid a government shutdown. We will show we can govern and make substantial improvements not only in the areas of defense and national security, but in other areas where people protect us, such as border control and food safety. Do we get what we want? No. But we do get a bill that we can feel has made a major accomplishment.

I could go through this item by item. I have a speech that would take me 20 minutes to go through. I am not going to go through it. What I am going to say to my colleagues is: Both sides of the aisle have worked together for the common good in such areas as the security of our country, meeting compelling human needs, and investments in research and technology. I think we ought to say yes and vote to move to cloture on the Senate bill.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, to some extent, I want to repeat what Senator MIKULSKI just said. No. 1, this would avoid a government shutdown. That should appeal to everybody. I think it appeals to the American people. It should appeal to everybody in this body tonight.

No. 2, it enforces the Budget Control Act and sequester levels. I will say it again. It enforces the Budget Control Act and sequester levels. Granted, perhaps not everything is ideal, but what is here? There will be ample time to address some of the issues. Some of the issues that have been raised are bona fide issues that we were unable to address for one reason or another in this process. But I assure my colleagues—and I have been working with my colleagues and with Senator MIKULSKI's Democratic colleagues—that if we do not move forward, I am afraid there may be no future appropriations bills, which is not good for anyone in this legislative process.

We have lurched from crisis to crisis. The CR is running out. What we are asking to do is to fund the government until September 30.

I urge my colleagues to support cloture and move this process forward.

I thank the Chair.

Ms. MIKULSKI. Mr. President, I want to follow up.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. To be clear, the first vote is on the cloture for the Senate bill. If this vote on cloture fails, we will go to the House bill. We have two choices tonight; we have two paths which we can go down. We can go down the Senate path, which is bipartisan in its approach. It is a good and solid bill, but if it goes down, we will immediately go to cloture on the House bill. If that passes, then essentially everything that we as U.S. Senators have worked on will be rubberstamping what the House sent us. So the path and choice are ours.

I intend to vote aye on the Senate bill and I urge all of my colleagues on this side of the aisle to follow my lead. I know Senator Shelby feels the same about it.

The PRESIDING OFFICER. The clerk will report——

Mr. MORAN addressed the Chair.

The PRESIDING OFFICER. No further debate is in order.

Mr. MORAN. Mr. President, I ask unanimous consent to address the Senate.

Mr. REID. Mr. President, I object.

The PRESIDING OFFICER. The objection is heard.

CLOTURE MOTION

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the Mikulski-Shelby substitute amendment No. 26, as modified, to H.R. 933 a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

Harry Reid, Barbara A. Mikulski, Sherrod Brown, Barbara Boxer, Robert Menendez, Patty Murray, Amy Klobuchar, Debbie Stabenow, Max Baucus, Tim Johnson, Benjamin L. Cardin, John D. Rockefeller IV, Charles E. Schumer, Carl Levin, Thomas R. Carper, Richard J. Durbin, Maria Cantwell

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the Mikulski-Shelby substitute amendment No. 26, as modified, offered by the Senator from Nevada, Mr. REID, to H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The majority leader.

Mr. REID. Mr. President, this is an amendment offered by Reid on behalf of Senators Shelby and Mikulski.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative proceeded to call the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. LAUTENBERG) is necessarily absent.

Mr. CORNYN. The following Senator is necessarily absent: the Senator from South Carolina (Mr. GRAHAM).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 35, as follows:

[Rollcall Vote No. 38 Leg.]

YEAS—63

Alexander	Franken	Mikulski
Baldwin	Gillibrand	Murkowski
Baucus	Hagan	Murphy
Begich	Harkin	Murray
Bennet	Heinrich	Nelson
Blumenthal	Heitkamp	Pryor
Blunt	Hirono	Reed
Boozman	Hoeven	Reid
Boxer	Isakson	Rockefeller
Brown	Johanns	Sanders
Cantwell	Johnson (SD)	Schatz
Cardin	Kaine	Schumer
Carper	King	Shaheen
Casey	Klobuchar	Shelby
Cochran	Landrieu	Stabenow
Collins	Leahy	Udall (CO)
Coons	Levin	Udall (NM)
Cowan	Manchin	Warner
Donnelly	McCaskill	Warren
Durbin	Menendez	Whitehouse
Feinstein	Merkley	Wyden

NAYS—35

Ayotte	Coats	Crapo
Barrasso	Coburn	Cruz
Burr	Corker	Enzi
Chambliss	Cornyn	Fischer
Flake	McCain	Scott
Grassley	McConnell	Sessions
Hatch	Moran	Tester
Heller	Paul	Thune
Inhofe	Portman	Toomey
Johnson (WI)	Risch	Vitter
Kirk	Roberts	Wicker
Lee	Rubio	

NOT VOTING—2

Graham Lautenberg

The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 35. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Montana.

Mr. BAUCUS. Mr. President, I ask unanimous consent that I be permitted to speak for up to 10 minutes and that following my remarks Senator MORAN be granted up to 10 minutes and then Senator BOXER be recognized.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TENTH ANNIVERSARY OF THE UNITED STATES-LED INVASION OF IRAQ

Mr. BAUCUS. Mr. President, this month we mark the 10th anniversary of the United States-led invasion of Iraq. With more veterans per capita than nearly any other State, Montanans proudly answer when duty calls.

The Book of John, chapter 15, verse 13 says: ''Greater love hath no man than this, that a man lay down his life for his friends.''

On this anniversary, we remember the Montanans and all Americans who laid down their lives in the name of freedom.

On my family ranch near Wolf Creek, MT, there is a willow tree that sways in the wind and stretches in the Sun.

On July 29, 2006, my nephew, Marine Cpl Phillip Baucus, was killed during combat operations in Iraq's Al Anbar Province. He was just 28 years old.

He was laid to rest on the same mountain where my father lies, the same ranch where he had married his lovely Katharine less than 1 year earlier.

Phillip was a bright and dedicated young man. He was like a son to me.

My brother John and I planted that willow tree on the ranch in memory of Phillip. We also planted a pine tree nearby.

I am not the only Montanan who has grieved. Forty Montanans have lost their lives in Iraq and Afghanistan. We grieve for them all. We miss them all.

We must honor their courage by living up to the ideals they died to defend. We must also honor their sacrifice by supporting the troops who come home forever changed. Thousands come home with traumatic brain injuries, post-traumatic stress disorder, and other injuries.

Make no mistake, we have taken important steps to see that veterans receive the care they need when they come home. We have worked for a strong post-9/11 GI bill to ensure thousands of veterans can go to college. We also fought to make sure the VA is fairly and adequately supporting our

student veterans. Yet it remains a disgrace that unemployment rates among veterans exceed that of nonveterans.

In Montana, unemployment among Iraq and Afghanistan veterans stands at 17.5 percent. That is the fourth highest rate in the country.

Since the Iraq war began, I have hired veterans to help draft policies that honor the sacrifices of our military. My staff has worked with me to draft the original tax credit for businesses that hire veterans. I am very honored to see that has been adopted by this Congress and by the President.

We spearheaded efforts to improve mental health screenings for all branches of the military based on Montana's strong model for catching the warning signs of PTSD. We started that in Montana. It is now incorporated as national defense policy.

In the last 10 years, our Nation has also been fighting terrorists in Afghanistan. As we reflect on the costs of the war in Iraq, we know that now is the time for Afghans to take responsibility for their own country.

In 2013, $97 billion will go to the war in Afghanistan alone. Do you know that the money that is being spent in both Iraq and Afghanistan is enough to double the number of public elementary schools in the United States and rebuild the American Interstate Highway System five times over? Dollars spent daily in Afghanistan need to be spent on nation building here at home.

While I am proud that we are closer than ever to bringing all of our troops home, it is not enough to just bring them back. We need to and can be doing a better job making sure our troops are ready to compete and win on the homefront. That means making sure that the day they are discharged from the service, they can transfer skills earned from the military into the civilian workforce.

My first order of business this year was to declare war on veterans unemployment. Troops who are trained to do a job in the military should get civilian credentials at the same time. They should not have to get recredentialed and retrained when they get home. If they got credentialed in the military, that should be sufficient for driving trucks, et cetera. The effort is already underway for EMTs and truckdrivers, but my VETs Act goes even further to cover military police, firefighters, and air traffic controllers. In 2011, 1,000 Iraq and Afghanistan veterans were unemployed in Montana, 240,000 unemployed nationwide. With 34,000 troops scheduled to come home from Afghanistan next year, the time to get serious about tackling veterans unemployment is now.

We will never forget the Montanans we have lost in combat in the Mideast over the last 10 years. They had big dreams. They looked forward to long, happy lives. They were volunteers. They were sons and daughters. They had children. They had dear friends. They grew up in small towns, such as Fairfield, Sand Springs, Philipsburg, and Wolf Creek. We hear their voices at Little League games, in the babbling creeks of Montana, in the rustling of willow trees we planted to remember them. We remember them in our hearts and in our deeds. President Lincoln concluded his second inaugural address with a call for the Nation to ''care for him who shall have borne the battle and for his widow and his orphan.'' Lincoln's charge remains our sacred duty today. The 40 Montanans we remember today left behind 28 children who will be growing up without them.

I also applaud a group of patriotic Montanans who are working to make sure those children can get a college education in Montana. Grateful Nation Montana is a proud example of answering the call to serve, serving those who proudly served us. Their mission is to provide college scholarships at Montana schools for the sons and daughters of our fallen heroes.

We must remember our vets. To all of our veterans and families of veterans who made the ultimate sacrifice, we want them to know they are not alone.

Let's recommit ourselves to making sure our veterans come home safely to good-paying jobs and a nation that honors their sacrifices.

NATIONAL AG WEEK

I would like to speak on another important issue in my home State as we mark National Ag Week. President Dwight D. Eisenhower once said, ''Farming looks mighty easy when your plow is a pencil, and you're a thousand miles from the corn field.'' Truer words were never spoken to describe the divide of how agriculture is viewed between Washington, DC, and Montana.

Agriculture is a central part of who we are as Montanans. Fifty percent of Montana's economy is tied to ranching and farming, supporting one in five jobs in Montana.

I had the privilege to grow up on a ranch outside of Helena, MT, near Wolf Creek, MT. It taught me firsthand the values of hard work, faith, family, and doing what is right. Those are the values I take with me to work every day.

Paul Harvey, who got his start in broadcasting in Montana, said it best in his poem ''So God Made a Farmer'':

God looked down on the Earth he created and said, I need a caretaker for this world I have made, and so God made a farmer.

So as part of trying to bridge that divide between Washington, DC, and Montana, I honor the strong legacy of farming and ranching families in Montana by celebrating National Ag Day. For those Montana families involved in agriculture, it is so much more than a livelihood, it is a way of life. I am honored to represent so many ranchers, so many farmers from Montana who have dedicated their lives to the land and provide a service from which everyone in the world benefits.

I yield the floor.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. The bill we are debating, the so-called continuing resolution, spends slightly more than $1 trillion between now and the end of the fiscal year. As those who were either on the floor or watching a few moments ago discovered, the opportunity to amend this bill in even a minor fashion, although, in my view, an important fashion, was denied.

So the Senate, in passing the CR, will spend more than $1 trillion, and we have had the opportunity to vote on two amendments, potentially three. That is the total extent to which 100 Senators representing millions of Americans have had the chance to influence the outcome, the content of a significant bill that spends lots of money.

The amendment I have been trying to offer, in my view, is an important one.

One of the things the administration announced following sequestration was that the control tower program, which provides about 179 air traffic control towers across the country, would be eliminated. That certainly is of importance to those who fly. It is important to people in our States, rural America. But this is not just a rural issue. These control towers are located in large cities across our country.

I have been trying to fathom why the Department of Transportation would, in a sense, single out this program. It is hard for me to fathom a good answer to that question.

As close as I can come is there are those in Washington, DC, who wish to demonstrate we can't cut a dime. We can't cut $85 billion from Federal spending, a $3.6 trillion spending program. We can't eliminate 28 days of spending at all. To prove that point, they apparently wish to single out programs which are the most important to Americans.

The idea we would put at risk an air traffic control tower program which is so important to the flying and traveling public is amazing to me. Again, it is not I think that the sequestration and the 5-percent cut in this program could not be handled by the Department of Transportation, but that is not what the Department of Transportation is doing.

In fact, the amendment which I hope to offer continues the sequestration and reduces the program spending by 5 percent. What the Department of Transportation is doing is eliminating the program, reducing the spending in this program by 75 percent.

Again, I can't figure out why this program of such importance would be treated in this fashion unless there are those who simply wish to demonstrate anytime we attempt to reduce spending—it is actually not even reducing spending; sequestration reduces the increase in spending. The only thing I can think of is there are people who wish to demonstrate here we cannot do that without having huge consequences to the safety and security of Americans. In my view, that concept certainly is false. We can find savings, but

beyond that it is a dangerous game to play in trying to prove a point we can't cut spending by putting at risk those who utilize air traffic control towers.

My frustration is increased by the fact we are spending all this money and the bill comes to the floor. I serve on the Appropriations Committee. I ought to have the opportunity to deal with this bill in the committee on which I serve. This hasn't happened.

I think what is my next opportunity, since I didn't have one as a member of the Senate Appropriations Committee? Maybe I ought to find colleagues from across the aisle, from around the country, rural, urban, Republican, Democrat, who would understand the value of this program. I did this and we found 23 sponsors of this amendment. We could probably find more. The point I wish to make this evening is 13 of those 23 are Democrat sponsors.

This place ought to function. We have been asked, why can't we work together? Why can't we find bipartisan ways to work together, 23 Senators, where 10 Republicans and 13 Democrats come together to say, yes, this needs to pass? Yet I have had no opportunity to offer that amendment. Numerous Members of the Senate from both sides of the aisle, but especially Democratic Senators, visit with me on the Senate floor saying, why can't you get this amendment made in order? It is a good amendment.

I don't have a good answer for that question.

We have worked hard with the chairperson and the ranking Republican on the committee. We have worked across the aisle and worked with the leadership, attempting to clarify how important this amendment is. Yet we will spend more than $1 trillion. However, one amendment, which transfers $50 million from two accounts, from unencumbered balances and from research funds, to keep the air traffic control program alive and well, is not in order.

As a member of the Appropriations Committee, my hope was I could solve this problem in the normal appropriations process. We spoke about this tonight. The majority leader spoke about getting back to the regular order and working on appropriations bills. Presumably sometime this week—although as a result of this amendment not being made in order, it will be later in the week than expected—we will get to the budget. Presumably we will pass a budget and go through the appropriations process.

The problem is I, as a member of the Appropriations Committee, and my colleagues who care about this program, who serve on this committee and who serve in the Senate, will have no opportunity to save this program. The Department of Transportation, the U.S. Department of Transportation, is going to terminate this program on April 7. By the time we ever get to regular order, if and when we do, the program will be eliminated. We will have lost the only opportunity, which is now on this continuing resolution, to make certain this program remains in place.

If we do what we ought to do here, come together and find a solution, reach bipartisan agreement, we ought to have the opportunity to address $50 million out of a more than $1 trillion bill. The idea we would pass a $1 trillion appropriations bill, with only allowing two, maybe three amendments, is something which again suggests we do not have our order in the appropriate place.

This is certainly important to folks across the country, and it is something which deserves attention and deserves a vote. It is something the American public ought to insist we not play the game of whether we can cut anything and put their safety at risk.

My plea to my colleagues tonight, having voted to advance this bill and cloture has been granted, which means no amendments are in order, I would ask our colleagues to realize the importance of this amendment and potentially others. Other Members of the Senate wish to offer amendments to establish and prove our priorities and, as the majority leader, demonstrate we can govern. The majority leader spoke about proving to the American people we can govern by passing this bill. It seems to me governing is something more than passing a continuing resolution without the opportunity for Members of the Senate to make their imprint on behalf of their constituents, and in my case Kansans, on behalf of the American people.

The air transportation system is essential to local communities and it is vital to our economic engine. It matters across the country. This amendment, if I am allowed to offer it, would continue access to the system which has worked so well for so many communities across our country. My plea is between now and when the 30 hours runs on the postcloture debate of this bill, there are those in the Senate who will work with me and others to see the amendment process works and we return to the days in which a Senator has the ability to influence the outcome of important pieces of legislation.

The PRESIDING OFFICER. The Senator from California.

SEQUESTER AND CLIMATE DISRUPTION

Mrs. BOXER. Mr. President, I have come to the floor to talk about a very important issue called climate change or climate disruption.

Before I do, I wish to address the issue my colleague has raised. He did not want to stop debate on the continuing resolution bill because he wanted to offer an amendment to ensure we cut somewhere as well as keep the FAA able to keep open air traffic control towers.

As someone who fought a partial government shutdown which shut down the FAA, my friends on the Republican side—my friend wasn't here then—I can tell you I was instrumental in making sure we passed that FAA authorization bill. It was a great bill.

It breaks my heart to see this sequester in action. This is not the way to govern.

I respect my colleague's point of view. He has a right to his opinion, but to say this is the only opportunity to stop the sequester is absolutely incorrect. The President has said he is ready to sit down with the Republicans, pass a balanced plan which would fix the sequester, get the FAA back up to snuff, take care of all of our problems which were caused because of the sequester, deficit reduction, and balance our budget. If this happens, this sequester will end not only for the FAA—my friend is right, this is ridiculous—but for the 70,000 children who are being cut out of Head Start. Why isn't there more discussion about that when we know every dollar invested in a child in Head Start saves $10 because they get that head start in life?

Where is the outrage of the 421,000 fewer HIV tests? This is a public health emergency when 421,000 people can't get their HIV test. They don't know if they are HIV positive and could spread the virus. This is what is happening with this sequester.

There are 10,500 teacher positions lost and 2,700 will lose title I funds, which amounts to 1 million children who will lose special reading help because of the sequester.

I think we all agree the sequester is no way to govern. We can get to a balanced budget without a sequester. We did that under Bill Clinton. We had a balanced approach. We made investments in our people, we cut out unnecessary spending, and we had a fair Tax Code.

I could go on with the problems. There are 25,000 fewer women who will not receive breast cancer screening. I could offer an amendment on that. I want to offer an amendment on that. I understand we need to keep the government running, and that is what this continuing resolution does.

I praise the Republicans on the other side who crossed over to vote with Democrats. Thank you very much for seeing we can't turn this bill into everyone's favorite amendment to restore something which is cut because of the sequester, which none of us ever thought was going to move forward.

I want to repeat this. My friend speaks about the FAA. I agree with him. I hope he would agree with me on Head Start, on teachers, on title I, on HIV tests, and on breast cancer screenings. What about the $540 million which is cut from the Small Business Administration loan program which is so critical to our small businesses and job creation? There are 600,000 children losing their nutrition assistance because of the sequester.

Let's all agree. The sequester is bad, and we need to stop it. Why not do it in the right way, which is to sit down with the President, ensure we can get the deficit reduction the sequester is

bringing in in a better way. He is offering this. He is offering a balanced plan. All of these cries about, oh, they are cutting this, that, and the other—it is all bad. Sequester is not the way to budget or to govern.

We have 1 week to keep this government open. The House has told us not to start a series of amendments or we are never going to be able to keep the government open. Let's do our work and keep this as clean as we can. Let's make sure we all listen to our President, who was reelected in a huge victory. He said he wanted to move us toward balance with a balanced plan, cuts in spending, new revenues. PATTY MURRAY's budget, the Democratic budget, does that.

I am very pleased we are moving toward keeping this government open. This is the basic thing we need to do—keep this simple and move on.

As you know, I am the chairman of the Environment and Public Works Committee. It is a joy for me to have that job, truly. My whole life I have cared about environment and about infrastructure. The way the Senate works, they put those two together. Not only am I able to speak about clean air, safe drinking water, cleaning up Superfund sites, and protecting the health of our families, but I also get to talk about jobs which are created when we build roads, highways, and water systems.

There is something which does not bring us together on that committee, and that is the issue of climate change. What I have decided to do is come down to the floor every Monday possible when the floor is available to speak a few minutes about the devastating consequences of unchecked climate disruption. I wish to discuss and put into the RECORD every week the latest scientific information. On March 4 I began these talks and spoke about a front-page story in USA Today which spotlights the impacts of climate change unfolding around us. The story is the first in a year-long series called ''Why You Should Sweat Climate Change.'' It describes how climate disruption is happening all around us. Last week I discussed a report entitled ''The 2013 High Risk List,'' which was a GAO study, Government Accountability Office study, which said climate disruption is leading to intense weather events, such as Superstorm Sandy, which threaten, our Nation and the finances of our Nation. Plus, I told colleagues of an Oregon State study which appeared in Science which said that we have had the warmest decade in over 11,000 years—the warmest decade in over 11,000 years. Now, not 11 years, not 1,100 years, but 11,000 years. So Earth to my Republican colleagues, please wake up to this fact and let's do something about it.

Today I want to talk about the impact of unchecked climate change on the health of our people. This is a statement made by Dr. Cecil Wilson—and let's look at this chart—the former president of the AMA, the American Medical Association:

> The scientific evidence clearly indicates that our climate is changing, air pollution is increasing, weather is becoming more extreme, and with these changes come public health consequences.

That is why our President made a finding there actually is a danger to public health. It is called an endangerment finding for a reason. It is putting our people in danger. Wake up, colleagues. Please, wake up before it is too late.

The fact is the Bush administration found—and we got this through documentation—that climate change was a threat. The CIA has found that climate change is a threat. The defense establishment has found that climate change is a threat. The only place that doesn't seem to get excited about it is right here, in a bipartisan way, in the Senate.

Again, we know temperatures are continuing to increase. The Draft National Climate Assessment of January 11, 2013, said this:

> Heat caused by climate disruption is especially harmful to our children.

Now I want to talk to colleagues who might just be listening. They might not be because it is 7:20 at night, but if they are, you all say you want to protect our kids. You all love your children and your grandchildren and your nieces and your nephews. This is according to the American Academy of Pediatrics Committee—and I think we have a chart on that:

> Anticipated direct health consequences of climate change include injury and death from extreme weather events and natural disasters, increases in climate-sensitive infectious diseases, increases in air pollution-related illness, and more heat-related, potentially fatal illness. Within all of these categories, children have increased vulnerability compared with other groups.

Again, I say to my colleagues, if we were sent here to do anything, it is to protect the health and safety of our children, for goodness' sakes, and they are one of the most vulnerable groups if we don't act on climate change. And if that doesn't move you, I say to my friends, what about the elderly? They are particularly vulnerable. This is from the Draft National Climate Assessment.

> Older people are at much higher risk of dying during extreme heat events. Pre-existing health conditions also make the elderly susceptible to cardiac and respiratory impacts of air pollution and to more severe consequences from infectious diseases.

So if I didn't touch your heart with your kids and grandkids, how about your grandmas, your grandpas, your great-grandmas, and your great-grandpas. They also are terribly vulnerable to the impacts of climate change.

Laurence Kalkstein, a University of Miami professor, who studies the effects of heat on health, said:

> Climate change is a silent killer. Heat can cause fatalities among even the fittest.

It is a silent killer. And he knows because he studies the impact of heat on our health.

So let's not be silent. Maybe climate change is a silent killer, but we can't be silent in the face of the information we have. Continuing to quote Laurence Kalkstein:

> The warming planet can cause many other serious health problems that are harmful to our families. Scientists predict they will get worse.

Scientists believe it will only get worse. Listen to what they say:

> Heatwaves are also associated with increased hospital admissions for cardiovascular, kidney and respiratory disorders. Extreme summer heat is increasing in the U.S., and climate projections indicate that extreme heat events will be much more frequent and intense in coming decades.

Is this the future we want for our people, increased hospital admissions for cardiovascular, kidney, and respiratory disorders? I think not. But, boy, part of me thinks so. I can't seem to get anybody excited about this in the Senate.

You might ask me why that is? I have my theories. There is a lot of power on the other side. There is a lot of power on the other side—people who don't want to move off coal, people who don't want to move off oil. There is a lot of power on the other side.

The increase in temperatures can lead to respiratory illnesses associated with air pollution, such as asthma. Have you ever seen a child with asthma gasping for breath? I say to my colleagues, asthma is a leading cause of hospital admissions for kids at school. I go around and visit the schools, and I ask a simple question: How many of you kids have asthma or know someone with asthma? Almost 50 percent of the room has hands up.

If you saw a child gasping for air on the street, you would hold them close, you would calm them down, you would get them oxygen, you would do everything in your power. You would call 9–1-1, you would take them to the hospital, you would sit by their side, you would hold their hand, you would nurse them back to health.

We have a situation, folks, where climate disruption is going to bring us more cases of asthma. Let's not stand with the giant polluters. Let's move to clean energy. Let's clean up our act and save our children, save our grandparents.

We are not talking about a remote possibility sometime in the near future. Climate disruption is here. It is happening before our eyes. More American children are getting asthma and allergies, more seniors are suffering from heat strokes. And let me tell you about what is happening in New York right now. They are seeing indications that extreme weather events such as Superstorm Sandy are linked to health problems.

They have already given a name to a cough that has developed in that part of the country known locally as the

Rockaway cough because it is in Rockaway. The Rockaway Peninsula on Long Island, NY, was devastated by Sandy. Lives were lost, homes and businesses were destroyed, and now local residents are experiencing health problems from the flooding—coughing, which is a common symptom, health officials said, that could come from mold or the haze of dust and sand kicked up by the storm and demolitions. Governor Cuomo said they are seeing these so-called 100-year storms—supposed to come once in 100 years—all the time.

I say to my colleagues: Wake up to the truth. Look out the window. Figure it out.

Look at this. Is this what we want to see in our country?

I was speaking to Senator WARREN about what happened recently, and I was shocked to see houses in Massachusetts on the beach, beautiful homes, being totally razed and taken away because the ocean is moving so close they can't stay there. It is happening before our eyes. Right here.

With the haze of dust and sand kicked up by the storm and demolitions, the air in the Rockaways is so full of particles the traffic police wear masks, though many recovery workers do not, and that worries people who recall the fallout of another disaster.

Another real threat we are seeing more and more in the West is wildfires. Wildfire smoke contains dangerous compounds. Why do we see this? The droughts that are coming. Smoke exposure increases respiratory and cardiovascular hospitalizations, emergency department visits for asthma, bronchitis, chest pain, chronic obstructive pulmonary disease, respiratory infections, and medical visits for lung illnesses, and has been associated with hundreds of thousands of global deaths annually.

That is the bad news. Now, if I stopped here, I wouldn't sleep very well tonight, having gone through all this. But there is good news. We can take steps now to address climate change, and those steps will benefit public health. We have an opportunity to turn this crisis into a win-win situation. When we reduce carbon pollution from powerplants to address climate disruption, we reduce dangerous air pollutants, such as soot and toxic metals that are harmful to our health.

Here is a chart: Policies and other strategies intended to reduce carbon pollution and mitigate climate change can often have independent influences on human health. For example, when you reduce carbon emissions, you reduce air pollutants, such as particles and sulfur dioxides.

We call that cobenefits, Mr. President. When you go after one kind of pollution—carbon pollution—you get the cobenefits of going after the soot, the small particles that lodge in our lungs. So we know when we reduce carbon emissions, we reduce those small particles and sulfur dioxide.

Here is the other good news. As we move away from the very dirty power sources of, what I hope will be, the past, and we move toward clean energy, we help our families' budgets because we move away from polluting automobiles. I drive a hybrid, a plug-in hybrid car. I have to tell you, it is pretty amazing. I get the first 12 miles on electricity, and if I do a few chores and come home and plug the car in again, then when I go past the 12 miles, it goes to a hybrid, which is part gas, part electric. So overall I am getting about 150 miles to the gallon. You know what. That feels pretty good when you don't have to stop and fill up your car all the time and get the sweats because of what it costs to fill up that car.

President Obama and my colleague Senator FEINSTEIN, and my former colleague Senator Snowe, I have to compliment them because in a bipartisan way they moved us toward fuel efficiency. So we are moving toward 50-miles-per-gallon fuel efficiency, and that will help us. But we have to do more.

We have to do more because the health costs associated with climate change are heartbreaking and expensive. Taking steps to reduce carbon pollution will lower our doctors' bills when we don't have kids wheezing and gasping for air. The evidence is clear: Climate change is a public health threat.

We have moved before when we have seen threats to public health. We did it on cigarettes. I was here when the Congress voted to ban smoking on airplanes. Let me tell you, that was a hard vote. We had all the money of the cigarette and tobacco companies against us. And I want to compliment Senators LAUTENBERG and DURBIN. Senator DURBIN was in the House. This was a long time ago, but I can tell you what it was like because I do so much travel across the country.

Mr. President, I would get off the plane where there was smoking, and I would reek of smoke. You felt it all over, and you certainly were breathing it in. It was unhealthy. Everyone said it would never happen; that we would never, ever ban smoking on the airlines. But guess what. We did the right thing.

Now some people say: Well, how do you know that human activity and the kinds of power we are using, the dirty oil and so on, the coal, is causing this? Let me tell you how I know. Because 98 percent of the scientists tell me so.

People say, what if they are wrong. Ninety-eight percent of the scientists agree that human activity is causing this climate disruption. If you stand with the 2 percent, you are standing with the 2 percent who said smoking never caused lung cancer. I would say, if we went to the doctor and the doctor looked at us and said there is a 98-percent chance if you don't change your eating habits or your smoking habits you are going to die an early death, you would say, 98 percent chance? OK, I will change my ways. Well, 98 percent of the scientists are telling us to change our ways when it comes to carbon pollution.

How do we do that in a way that is smart? We have several bills to put a price on carbon. We have the Sanders-Boxer bill. We have the Whitehouse bill. There will be other bills. Once we put a price on carbon, it makes sense because we are factoring in the true cost of carbon pollution, which I just explained is enormous in public health alone and economics related to superstorms and the rest.

So we need to put a price on carbon. What BERNIE SANDERS and I do is we take the funds that come in from that and we give it right back to the people and say: Here is a check, and now you can pay for your new clean energy. It is kind of capping the carbon and giving a dividend to the people. With the rest of the money we lower the deficit, we invest in solar rooftops, and a little bit in solar transportation. It is the way to go.

Some say wait. We can't wait. We wasted 8 long years when George W. Bush was President. Do you know why? He said carbon pollution wasn't covered in the Clean Air Act. All one had to do was read the Clean Air Act. I am not an attorney, but it is right there. It says, in essence, here are the following pollutants that are covered, and it listed greenhouse gas emissions. But, oh, no. He took it all the way to the Supreme Court and wasted 8 long years while the problem got worse and worse.

So here is the deal. Here is a quote from Washington School of Public Health, University of Washington, Dr. Howard Frumkin, who says:

In public health, when faced with threats to entire populations, we act. For infectious diseases, we vaccinate.

If 98 percent of the doctors say vaccinate to prevent illness, there is always 2 percent who are going to say don't do it. But we go with 98 percent.

For lung cancer, we ban smoking.

We didn't stand with the doctors who were paid off by big tobacco. We stood with the doctors who had an independent judgment, and we banned smoking on airplanes and in close quarters and in the Senate cloakroom and all the other places in government buildings.

For injuries, we install seat belts and air bags.

Another big battle. Remember that battle? The auto companies said: We don't want to spend the money installing airbags or seatbelts. We said: You have to do it. You know what. It is worth the cost, and so many lives are saved.

For obesity, we promote physical activity and healthier eating.

The First Lady has taken this on as a cause and we are starting to see a change. We have a long way to go. Why do that? Because we know the connection between obesity and diabetes and heart disease and stroke. So even

though it is a difficult issue, we have tackled it.

For climate change, we need to act.

We surely do. I am talking to pretty much an empty Chamber, but I am glad the Presiding Officer is here, and I feel a few people are watching. It is good. But there are a few of us who are determined to keep on bringing the facts to the floor of the Senate. Everyone has the right to act or not act, but I believe we need to make the record now, because when my grandchildren grow up, I want them to look back and say: Wow. That was great what grandma's generation did. They took care of this issue. I don't want them to look back and say: What were they thinking? What was wrong with them? Why didn't they act when they could have made a difference?

So next week I will be back. I will be talking about national security threats. This is one of the biggest national security threats we face. That doesn't come from me. That comes from the Pentagon. It comes from the CIA. It comes from the national security teams. So we can just close our eyes to this and we can wish it goes away, but it is not going away or we can ease the pain of climate disruption by moving to clean energy, energy efficiency, and we will face a win-win as we eventually have better public health, save money, and save the planet.

Mr. JOHNSON of South Dakota. Mr. President, I come to the floor today in strong opposition to Amendment No. 115, offered by the junior Senator from Pennsylvania, to strike funding for the Department of Defense's, DoD, Advanced Drop-In Biofuel Production.

The intent of this amendment is to further limit the Department of Defense's ability to use alternative fuels to enhance our country's national security. Under the authorities of the Defense Production Act, DPA, the Department of Defense has created the Advanced Drop-In Biofuels Production Project. This initiative is focused on creating a public-private partnership that will provide incentives for private-sector investment in cost competitive, advanced biofuels production capability. It also requires at least a one-to-one cost share with private stakeholders. During consideration of the National Defense Authorization Act of 2013, the Senate demonstrated bipartisan support for DoD's alternative energy initiatives. This amendment would prevent DoD from taking the necessary steps to diversify its energy supply.

As chairman of the Banking Committee, which has jurisdiction over the DPA, I believe it is misguided to limit the authority of the Defense Department to continue with this project. As one of the largest consumers of oil in the world, the Department of Defense spent $17 billion in fiscal year 2011 on petroleum-based fuels. When oil prices spike, this dependency forces the Department of Defense to reallocate funding from other critical needs. Last year alone, spikes in oil prices required the Navy to pay an additional $500 million on higher fuel costs. Amendment No. 115 will further increase DoD's vulnerability to fluctuations in the price of oil.

This amendment should also be opposed because if it were adopted it would not have the effect intended. Due to a technical drafting error this amendment would not strip money from the account that funds biofuel production, but rather other unrelated programs at the DoD. The amendment still scores in outlays per the Congressional Budget Office and is subject to a budget point of order. This technical drafting error is another reason for Members to oppose this amendment.

The renewable fuels industry has played an important role in addressing our energy needs. Unfortunately, this amendment would hinder our Nation's ability to promote renewable domestic energy sources. We should allow the Defense Department to retain its authority to take steps to diversify the energy sources available to our military. Our national security relies on energy security, and this amendment would weaken both.

I urge all my colleagues to oppose this amendment.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that we proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO JUDGE JOE CHRIST

Mr. DURBIN. Mr. President, with a heavy heart, I rise today to say a few words about a wonderful, talented public servant who unexpectedly passed away recently.

Joseph Christ was a longtime prosecutor in St. Clair County, IL, home of the city that I grew up in, East St. Louis.

In his almost 20 years as an assistant State's attorney, he worked hard to keep criminals off our streets and help victims' families find justice.

Then, just two weeks ago, he was sworn in as an Associate Judge on Illinois' 20th Circuit and began his new journey.

His colleagues from the prosecutor's office said great things about his time there and what a great judge he would make.

But the next weekend, while on an out-of-town trip a few days after being sworn in, he passed away from natural—though certainly unexpected—causes.

We will never know all the good things he would have accomplished as judge, but we can reflect on the good he did while he was with us.

Surely his record indicates that he would have accomplished many more good deeds in the years to come.

He was taken from his wife and children too soon. They are in my thoughts and prayers.

RECOGNIZING THE IAWP AND DICK FREEMAN

Mr. HARKIN. Mr. President, I would like to congratulate the International Association of Workforce Professionals, IAWP, for a century of leadership in enhancing the professionalism and excellence of America's workforce systems. IAWP will have a special celebration of this centennial milestone during its annual International Educational Conference in Chicago from July 6 to 10. IAWP was founded in Chicago and also celebrated its 50th and 75th anniversaries in that great Midwestern city. The association will honor its founder, W.M. Leiserson, superintendent of Wisconsin Employment Offices. In 1913, he reached out to his counterparts in other States to organize a nationwide association of public employment offices. Since its founding, IAWP has consistently worked to advance its founding principles: to provide members with education, leadership opportunities, information exchange, and recognition of excellence. In particular I would also like to applaud one of my constituents, Dick Freeman, who is receiving a much deserved Lifetime Achievement Award from IAWP at its July conference.

Dick has been a member of the Iowa chapter of IAWP for 41 years, including serving as the Iowa legislative chair since 1985. He has received the Iowa I-Care Award numerous times during his tenure of more than four decades with the association. This award is given for professionals who perform above and beyond normal leadership duties.

Dick played an important role in planning and hosting IAWP's 1990 International Educational Conference in Des Moines. He was the deputy director of the Iowa chapter when it chose to compete to host that year's International Education Conference. Iowa won the bid thanks to Dick's initiative and persistence. Approximately 1,200 IAWP members attended the 1990 conference in Iowa.

Mr. President, I am very pleased to recognize Dick Freeman for his many decades of dedicated service to IAWP members in Iowa and all across the Nation. Again, I congratulate the International Association of Workforce Professionals for 100 years of service to America's workers.

UNREST IN TIBET

Mr. MENENDEZ. Mr. President, I rise to express my concerns about the continuing unrest in Tibet and the tragic trend of Tibetan self-immolations. Since February 2009, more than 100 Tibetans have set themselves on fire. Many of the self-immolators have called out for the return of the Dalai Lama to Tibet and for China to acknowledge the basic human dignity of the Tibetan people.

Like so many others, I wish that Tibetans would not choose self-immolations, a horrific act, as a method of protest. I hope Tibetans will find other ways to express their grievances and despair and halt these self-destructive acts. At the same time, we must understand that these sorts of acts are indicative of the deep sense of frustration felt by the Tibetan people. This is not a conspiracy of ''foreign forces'' but indicative of the deep sense of hopelessness of a people denied their basic dignity.

Under the Chinese Constitution, ''All ethnic groups in the People's Republic of China are equal. The state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited. . . .''

Yet Tibet today is one of the most repressed and closed societies in the world, where merely talking on the phone can land you in jail. Support for the Dalai Lama can be prosecuted as an offense against the State. Tibetans are treated as second class citizens; their travel within and outside of Tibetan areas is highly restricted. Foreign diplomats and journalists are routinely denied access.

The American people and Congress have demonstrated an abiding interest in the culture, religion, and people of Tibet, as well as a deep respect for His Holiness the Dalai Lama. We see Tibet as an issue of fundamental justice and fairness, where the fundamental human rights of the Tibetan people, as embodied in the PRC's own constitution, are not being respected; where their culture is being eroded; and where their land is being exploited.

So I believe that responsibility falls to us to help the Tibetan people in their efforts to preserve their culture and identity and have a say in their own affairs and to be able to exercise genuine autonomy within the PRC.

Let me offer some thoughts on how Congress can help.

First, we should continue to fund the important programs that help Tibetan communities, both in exile and on the Tibetan plateau. While these provide tangible humanitarian results, they also send a critical signal to the aggrieved Tibetan population that the United States hears their plea.

One measure with which I am familiar is the Tibetan language broadcasts of Radio Free Asia and the Voice of America. I cannot overstate the importance of these efforts to provide perhaps the only independent source of news to Tibetans who struggle under the heavy censorship regime.

Second, we should embrace the statement last fall by U.N. Human Rights Commissioner Navi Pillay on Tibet. She stated that ''social stability in Tibet will never be achieved through heavy security measures and suppression of human rights.'' She called on Chinese authorities to adopt the recommendations of various U.N. bodies and to allow access to Tibet by independent international observers and media members, noting 12 outstanding requests for official visits to China by U.N. Special Rapporteurs on various human rights issues.

Third, the State Department should continue to insist on access to Tibet by its personnel. We need independent and credible reporting on the true situation on the ground, and the Department should work with China to take steps to see that the principle of reciprocity is respected.

Fourth, I encourage the State Department and other government agencies to join in dialogue with China and with others in the region to address the deeper strategic aspects of the Tibet issue. Instability in Tibet is a factor in the broader question of social stability in the entire PRC. Peaceful resolution of the Tibet issue could go a long way in demonstrating to the world that China is indeed a responsible and constructive member of the community of nations. In turn, Beijing's growing influence in the Himalayan belt, especially Nepal, should be assessed in a broader dialogue with other nations in the region.

Likewise, the United States should look for constructive ways to engage China on the issue of water security, given that Tibet's rivers provide the livelihood for hundreds of millions of people downstream in South and Southeast Asia. Chinese diversion of these rivers through constructing dams could become a source of conflict in the region.

Mr. President, I close by paraphrasing an oft-uttered phrase by the Dalai Lama. He says that those who raise their voices of concern for Tibet do so not because they are pro-Tibet or anti-Chinese. They do so because they are pro-justice. I second this remark and look forward to working with my colleagues in the Senate, and with China, to promote a durable resolution to the Tibet problem.

CONGRATULATING MITCH SEAVEY

Ms. MURKOWSKI. Mr. President, I rise today to recognize the winner of the 41st Iditarod race. Mitch Seavey of Seward finished the 998-mile dog sled race in a time of 9 days, 7 hours, 39 minutes, and 56 seconds. This is Mitch's second title and I am happy to congratulate him on this significant accomplishment.

Sixty-six teams left this year from Willow, heading out into the dark, cold, and exceptionally rugged terrain of Alaska. This race is not for the weak. Temperatures can plummet, footing is not always solid, and mushers have to deal with the isolation of the Alaskan wilderness, leading an equally brave and athletic team of canine athletes.

Iditarod mushers are not the only people to have witnessed the great ability of sled dogs. American soldiers overseas are now benefiting from the training these canines endure. The U.S. Marine Corps recently decided to study the training regimen of sled dogs that are able to consistently run 1,000-mile races through hazardous conditions. What they observed is what we in the Iditarod community have become accustomed to in sled dog racing—train to the level in which you need to perform. For Iditarod dogs this means training in weather conditions they will encounter during an Alaskan winter and eating up to 12,000 calories a day. Exercise and nutrition techniques were transferred from the Iditarod trail across the world to the deserts of Afghanistan. Bomb-sniffing dogs working in conditions just as extreme, sometimes in heat well in excess of 100 degrees, are now saving lives and limbs every day thanks to the science and innovative techniques developed in our great race. A group of those canines, led by Tanner, a 6-year-old husky, trained their way into peak physical condition and onto the winning podium in Nome.

The Iditarod race exemplifies the greatest assets of my home State: vast nature and beauty, the greatest will and determination in the country, and most of all a sense of community. Those qualities are exemplified in this year's winner, Mitch Seavey.

This title makes Mitch the oldest Iditarod winner ever. It is only fitting that Mitch crossed the burled arch on Front Street in Nome a champion, a year after his son Dallas claimed the title and became the youngest winner in Iditarod history. Back-to-back Seavey family championships lead me to believe that there must be some characteristics of this family that give them an advantage in the world's toughest race.

Mitch Seavey's inspiring run this year was a testament to his athleticism, tenacity, and character. Mitch recaptured his title in dramatic fashion. His lead coming out of White Mountain, starting a sprint to Nome, was only 13 minutes. He thought he could see the dim light of his competitor's headlamp coming up behind his team and he reached another gear. Late Tuesday night Mitch crossed the finish line, claiming his second title, the first since his 2004 championship run. This was one of the closest Iditarod finishes ever. Mitch even joked coming out of White Mountain that he was going to grab his sneakers for the finish. In the heat of competition Mitch kept his sense of humor and

now he has kept the Iditarod championship in the family for another year.

Mitch Seavey may have claimed the Iditarod title in Nome, but getting to that point takes preparation and training that begins months if not years in advance. I would like to congratulate Mitch for all of his hard work and for claiming his second Iditarod title.

I would also like to thank the Iditarod trail team, the many volunteers who came from around the country, the veterinarians, the Iditarod Air Force, and everyone else who has worked to ensure the safety and maintenance of the Iditarod trail and the safety of the dedicated athletes and canines that welcome the challenge. Their efforts are often underrated, but their commitment is resolute. My prayers go out to the families of Carolyn and Rosemarie Sorvoja, and pilot Ted Smith, who lost their lives in a tragic plane crash as they made their way to the eighth check point of Takotna. They had traveled hundreds of miles from the Anchorage area, in hopes of volunteering on the trail. Every volunteer knows the risks associated with their efforts to ensure the safety of others and the success of the Iditarod, but I am surprised each year at how many line up to serve in the face of rugged and extreme Alaskan conditions. This is now a time to remember and honor their efforts, and congratulate Mitch Seavey.

I am proud to congratulate the Seavey team on this amazing accomplishment and historic milestone. I send my best wishes to Mitch and the whole Seavey family as they celebrate this well-deserved victory in Alaska's great race.

ADDITIONAL STATEMENTS

ASCENT OF DENALI CENTENNIAL

● Mr. BEGICH. Mr. President, today I would like to recognize the centennial anniversary of the first successful ascent of the south peak of Mount McKinley. In Alaska, the mountain is popularly known as Denali, which means the ''Great One'' in Dena'ina language. At 20,320 feet, the south peak is the tallest of its two peaks, and makes Mount McKinley North America's tallest mountain.

Although other climbers attempted the climb or claimed to have summited McKinley before 1913, Walter Harper, Hudson Stuck, Robert Tatum, and Harry Karstens were the first to complete their journey to the top. Among the party, it was Harper, an Athabascan, who was the first to stand on the south summit after a month-long expedition that started with a mush from Fairbanks by a dog team.

The unsung hero of this accomplishment was another Alaska Native, 16-year-old John Fredson, who travelled with the group and cared for the sled dogs at base camp while waiting for the climbing team to return. This story of triumph and courage underscores the importance of Alaska Natives in the great age of American exploration.

To commemorate the centennial, the Denali 2013 Centennial Climb has been organized. The official party's ascent will commence June 7, 2013, and includes ancestors of the original team: Dana Wright of Fairbanks, the great-grandnephew of Harper; Dan Hopkins, from Ottawa, Ontario, who is the great-great-nephew of Stuck; Ken Karstens, from Colorado; and Ray Schuenemann, from Dallas, Texas, both of whom are great-grandsons of Karstens.

Stuck was a missionary for the Episcopal Church and Archdeacon of the Yukon back in 1913. Stuck had hoped to celebrate communion atop the peak. As part of the recreation of the historic ascent, Mark Lattime, the Episcopal Bishop of Alaska and Reverend at St. Matthew's Episcopal Church in Fairbanks, will join the climbing party and celebrate communion at the peak.

The spirit of adventure is something that we embrace as Alaskans and Americans. Let us take this moment to acknowledge this significant achievement of our predecessors and wish the 2013 party a safe and successful climb.●

TRIBUTE TO COLONEL MARK E. WEATHERINGTON

● Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize and congratulate the service of Col. Mark E. Weatherington, who will be ending his command at Ellsworth Air Force Base in early April.

An Air Force Academy graduate, Colonel Weatherington has served in many leadership and flying positions over his impressive 23-year career. He is a B–1 pilot with 2,400 flight hours. Among his many assignments, Colonel Weatherington has served as commander of the 28th Bomb Wing at both Ellsworth AFB and Dyess AFB; served as chief of staff of the Air Force Fellow; was a National Defense Fellow with the Brookings Institution; and previously served at Ellsworth AFB as chief of weapons and tactics and then assistant operations officer of the 77th Bomb Squadron and wing weapons officer of the 28th Operations Support Squadron.

Colonel Weatherington has served as commander of the 28th Bomb Wing, Ellsworth Air Force Base, the largest B–1 combat wing in the U.S. Air Force, since May 2011. He has distinguished himself during his 2-year stint at the South Dakota installation. He has provided expert guidance during the process to bring the first MQ–9 Reaper squadron, the 432nd Attack Squadron, to Ellsworth Air Force Base, while maintaining the great legacy of the B–1 aircraft and the personnel of the 28th Bomb Wing. Last year, Colonel Weatherington presided over Ellsworth Air Force Base's 70th Anniversary festivities.

Colonel Weatherington's current stint at Ellsworth Air Force Base has lasted just shy of 2 years, but he has provided a lasting impact, overseeing 4,300 military and civilian personnel in the day-to-day operations of the base, as well as the ongoing rotation of airmen to overseas action in support of Operation Enduring Freedom. He has maintained a strong relationship between the Base and Black Hills communities, namely Rapid City and Box Elder. For decades there has been a very warm and cordial relationship between Black Hills residents, businesses, and charitable organizations and the personnel and leadership command of Ellsworth Air Force Base. Colonel Weatherington has been committed to maintaining this bond. The relationship between the civilian and military communities remains very strong, and this relationship continues to make the Black Hills a great retirement option for military retirees who once served at Ellsworth Air Force Base.

Colonel Weatherington will now move to the Pentagon where he will serve as Military Assistant to the Deputy Secretary of Defense, Dr. Ashton Carter. This role will bring new challenges and responsibilities, but I know the leadership, professionalism, and stewardship Colonel Weatherington showed during his time at Ellsworth Air Force Base will serve him well at the Pentagon and throughout his career. I commend Colonel Weatherington for his service to Ellsworth Air Force Base and his continued service to the U.S. Air Force. I wish him, Stephanie, and their family all the best in future endeavors.●

WEST VIRGINIA HOUSE CONCURRENT RESOLUTION NO. 74

● Mr. MANCHIN. Mr. President, I rise today to bring attention to an effort spearheaded by a native West Virginian, Mr. William J. Friedman. I ask to have printed in the RECORD a copy of the West Virginia-House Concurrent Resolution No. 74, which was passed by the West Virginia State Legislature on March 12, 2012, detailing his efforts.

Mr. Friedman is a proud West Virginian. He is the longest tenured member of the National Democratic Club, and founder of both the 116 Club and the prestigious Georgetown Club.

According to his colleagues, Mr. Friedman is also a veteran who served this country in the Korean War and lived in Africa for almost 15 years. Mr. Friedman was present during a number of movements within the region; including the civil war in Mozambique and the dismantling of South African apartheid.

I am informed that Mr. Friedman served his country abroad by investing millions in the country of Mozambique with hopes of spreading American style capitalism and creating hundreds of jobs.

Further, I am told that Mr. Friedman was inspired by Mozambique President Joaquim Chissano, which led to his relocation to Mozambique. At the time, Mozambique was in midst of a bloody civil war. Even so, Mr. Friedman assisted the newly appointed Presi-

dent to develop relationships with western nations.

Mr. Friedman has said that he invested millions of dollars to promote free enterprise in Mozambique. Accordingly, I am told that Mr. Friedman established the first direct foreign investment with Overseas Private Investment Corporation insurance in the country of Mozambique.

Mr. Friedman continued investing in the country until Mozambique held its first multi-party elections and, as a result, Joaquim Chissano was elected President of the Republic of Mozambique.

As a U.S. Senator, it is such an honor to serve the great people of West Virginia and to bring attention to their special efforts. I always say that the people of West Virginia are some of the most patriotic in the country.

The resolution follows:

STATE OF WEST VIRGINIA, LEGISLATIVE RESOLUTION

HOUSE CONCURRENT RESOLUTION NO. 74

[By Delegates Canterbury, Armstead, T. Campbell, Carmichael, Evans, Gearheart, Hamilton, C. Miller, Nelson, Sigler, Sumner and Walters]

[Adopted by the Legislature, March 9, 2012]

Requesting the Congressional Delegation from the State of West Virginia to ask the United State Department of State to make certain demands on the government of the United Arab Emirates.

Whereas, The Government of Abu Dhabi, United Arab Emirates is in arrears on certain of its sovereign obligations; and

Whereas, Some West Virginians are in possession of bonds issued by the Government of Abu Dhabi, bonds that are now in arrears and at risk of default; and

Whereas, Repayment of these bonds by the Government of Abu Dhabi would result in significant tax revenues to the State of West Virginia and also return investors' capital for reinvestment in significant new projects in West Virginia; and

Whereas, Members of the West Virginia Congressional Delegation have attempted to resolve this matter with the Embassy of the United Arab Emirates in Washington, D.C, but without result; therefore, be it

Resolved by the Legislature of West Virginia:

That West Virginia Congressional Delegation be requested to communicate further to the United State Department of State; and, be it

Further Resolved, That, pursuant to the United States Constitution, Article 1, Section 8, Paragraph 3, which bestows on the United States Congress the duty to regulate commerce with foreign nations, the Congressional Delegation from the State of West Virginia should renew their resolve and ask their Congressional colleagues and every United States legislator, on a bipartisan basis, to ask the United States Department of State to demand that the government of the United Arab Emirates honor and pay their sovereign financial obligations that are guaranteed by the Government of Abu Dhabi as evidenced by bonds signed by their own officials.

I, Gregory M. Gray, Clerk of the House of Delegates, and as such Clerk, Keeper of the Rolls of the Legislature of West Virginia, hereby certify that the foregoing is a true and correct copy of House Concurrent Resolution 74, which was adopted by the Legislature on the 9th day of March, 2012.●

TRIBUTE TO DR. JULIAN DAVIDSON

● As a huge crowd gathered on February 4, 2013, at the memorial service for my good friend, Dr. Julian Davidson of Huntsville, AL, in the magnificent Davidson Center for Space Exploration that bears his name, beside the Saturn V rocket, I had to take a moment to consider its power and the impact its development made on the world. Our space program is the world's greatest technological achievement.

Less appreciated is the monumental technological achievement of our Nation's National Missile Defense System along with all the other shorter range missile systems that now protect the Nation from attack and accidental launch. Sixteen years ago, campaigning, I would ask people what we would do if a nuclear missile were launched at us. Usually, someone would say we would shoot it down. That is the correct answer today, but not then. No such system had then been deployed but people were working on it.

Former Secretary of State Dean Acheson wrote a book, Present at the Creation, about the creation of our long lasting foreign policy framework. My friend, Dr. Julian Davidson, was present and creating at the creation of our colossal, highly technical and effective global missile defense system. It is accurate to call him the ''father of missile defense.'' And, like a good father, he nurtured the program to maturity for 50 years. As an Army Civilian and as a business professional, he was a constant and leading force for this amazing accomplishment. Launch vehicles in Alaska and California, radar detection systems worldwide, and incredibly complex computer systems allow this Nation to identify, track, and hit to kill a hostile or accidental missile aimed to damage our Nation.

People doubted it would work, mocked it as Star Wars, but the political center held and aided by the scientific and political skills of Julian and others the system is now in place. Trust me—it was a near run thing. Since Ronald Reagan, it has remained a sore spot for Vlademir Putin and a major strategic development.

This modest, unassuming, gentle but brilliant, strong and determined man carried the day. And, blessedly, he could take pride and satisfaction in actually seeing it proven and deployed. This was a truly historic achievement.

As a new Senator, elected in 1996, I was aware of Julian's importance to Huntsville and national defense. But as the years passed, I came to understand more about his remarkable career and why he was so loved and respected. For me, and for so many, his importance transcends the leadership he has provided to science and technology, to our Nation's being dominant in the world in missile defense technology and systems, and to our national security—it is personal. He touched so many lives in positive and important ways. My respect for his knowledge, his unbiased, sound insight, just continued to grow. I was in awe of this small man who had done so much, knew so much, and who was so admired in the Defense Department, the defense industry, and in Huntsville. I was honored that he became a true friend and he gave me his time and insight as he did for so many others.

Last year, I talked with Admiral Syring about his appointment to be the new MDA Commander, the agency Julian first directed. When I met with Admiral Syring, I asked that he do only one thing. I asked him to have a good visit with Julian and promised him he would enjoy and benefit from it. Admiral later said they had a wonderful afternoon.

Now, Julian did love politics and there was an unusual purity about his politics. It was an extension of his love for America, I think. First and foremost, Julian was a patriot. He was passionately committed to classical American values.

Julian felt that his country had been good to him, that it was a positive force in the world, and that it required civic support and direction. He was always there to give that support and direction.

Julian was proud of Davidson Technologies and the 200 engineers and people who worked with him there. He made it a premier missile technology and systems engineering firm in a very short time. His main goal was for the company to meet and exceed contract requirements, to be successful, and, importantly, so his people could prosper and be fulfilled and do their work with integrity. He was very proud that he had created a work environment second to none in Huntsville. The company was good to him and he was grateful.

Julian was exceedingly generous to Huntsville, the place he called home. The Davidson Center for Space Exploration is a dramatic example of that generosity. He and Dorothy were also great friends of the arts—making major gifts to the Davidson Center for the Arts, the Huntsville Symphony, the Child Advocacy Center and many other good causes. Their long and true partnership was exceedingly important in business and civic affairs. Extremely talented in her own right, Dorothy loved and admired Julian as he did her. This bond was a key to his success.

Dr. Deborah Barnhart, CEO of the Space and Rocket Center said, ''Dorothy and Julian Davidson are renaissance people who care passionately about the advancement of technology, the arts, and the Huntsville community.'' Truly so.

So, the gentle, humble man from Oakman, Walker County, AL, son of a store owner, went forth and accomplished great things. And he did it without bluster, without ego, and without selfishness. He did it with skill, hard work, good judgment, honest dealing and respect for his fellow man. He did it all with a full dose of that critical quality—integrity. He believed in work. He was blessed to continue his productive work until his last days.

We live in a magnificent universe, ordered by providence—too wondrous to relate. To an unusual degree, Julian Davidson was given the ability and will to develop complex systems that utilize the rules of the natural world to make our lives better and to actually control the missiles that protect us from attack, even a nuclear attack.

It is important for the Nation to celebrate Julian's marvelous life and accomplishments.●

ECONOMIC REPORT OF THE PRESIDENT DATED MARCH 2013 WITH THE ANNUAL REPORT OF THE COUNCIL OF ECONOMIC ADVISERS FOR 2013, RECEIVED DURING ADJOURNMENT OF THE SENATE ON MARCH 15, 2013—PM 6

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Joint Economic Committee:

To the Congress of the United States:

This year's Economic Report of the President describes the progress we have made recovering from the worst economic crisis since the Great Depression. After years of grueling recession, our businesses have created over six million new jobs. As a nation, we now buy more American cars than we have in 5 years, and less foreign oil than we have in 20 years. Our housing market is healing, and consumers, patients, and homeowners enjoy stronger protections than ever before.

But there are still millions of Americans whose hard work and dedication have not yet been rewarded. Our economy is adding jobs, but too many of our fellow citizens still can't find full-time employment. Corporate profits have reached all-time highs, but for more than a decade, wages and incomes for working Americans have barely budged.

Our top priority must be to do everything we can to grow our economy and create good, middle-class jobs. That has to be our North Star. That has to drive every decision we make in Washington. Every day, we should ask ourselves three questions: How do we attract more jobs to our shores? How do we equip our people with the skills needed to do those jobs? And how do we make sure that hard work leads to a decent living?

We can begin by making America a magnet for new jobs and manufacturing. After shedding jobs for more than a decade, our manufacturers have added about half a million new jobs over the past 3 years. We need to accelerate that trend, by launching more manufacturing hubs that transform hard-hit regions of the country into global centers of high-tech jobs and manufacturing. We need to make our tax code more competitive, by ending tax breaks for companies that ship jobs overseas, and rewarding companies that create jobs here at home. And we need to invest in the research and technology that will allow us to harness more of our own energy and put more people back to work repairing our crumbling roads and bridges.

These steps will help entrepreneurs and small business owners expand and create new jobs. But we also need to provide every American with the skills and training they need to fill those jobs. We should start in the earliest years by offering high-quality preschool to every child in America, because we know kids in programs like these do better throughout their academic lives. We should redesign America's high schools to better prepare our students with skills that employers are looking for right now. And because taxpayers can't continue subsidizing the soaring cost of higher education, we should take affordability and value into account when determining which colleges receive certain types of Federal aid.

We also need to reward hard work and declare that no one who works full-time should have to live in poverty by raising the minimum wage so that it's a wage you can live on. And it's time to harness the talents and ingenuity of hardworking immigrants by finally passing commonsense immigration reform—continuing to strengthen border security, holding employers accountable, establishing a responsible path to earned citizenship, reuniting families, and attracting the highly-skilled entrepreneurs, engineers, and scientists that will help create jobs.

As we continue to grow our economy, we must also take further action to shrink our deficits. We don't have to choose between these two important priorities—we just have to make smart choices.

Over the last few years, both parties have worked together to reduce the deficit by more than $2.5 trillion, which puts us more than halfway towards the goal of $4 trillion in deficit reduction that economists say we need to stabilize our finances. Now we need to finish the job. But we shouldn't do it by making harsh and arbitrary cuts that jeopardize our military readiness, devastate priorities like education and energy, and cost jobs. That's not how you grow the economy. We shouldn't ask senior citizens and working families to pay down the rest of our deficit while the wealthiest are asked for nothing more. That doesn't grow our middle class.

Most Americans—Democrats, Republicans, and Independents—understand that we can't just cut our way to prosperity. That's why I have put forward a balanced approach to deficit reduction that makes responsible reforms to bring down the cost of health care for an aging generation—the single biggest driver of our long-term debt—and saves hundreds of billions of dollars by getting rid of tax loopholes and deductions for the well-off and well-connected. And we should finally pursue bipartisan, comprehensive tax reform that encourages job creation and helps bring down the deficit.

The American people don't expect their government to solve every problem. They don't expect those of us in Washington to agree on every issue. But they do expect us to put the Nation's interests before party interests. They do expect us to forge reasonable compromise where we can. Our work will not be easy. But America only moves forward when we do so together—when we accept certain obligations to one another and to future generations. That's the American story. And that's how we will write the next great chapter—together.

BARACK OBAMA.

THE WHITE HOUSE, *March 2013.*

MESSAGE FROM THE HOUSE

At 3:41 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 803. An act to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century.

The message also announced that pursuant to section 4(b) of the World War I Centennial Commission Act (Public Law 112–272), and the order of the House of January 3, 2013, the Speaker appoints the following individual on the part of the House of Representatives to the World War I Centennial Commission: Mr. TED POE of Humble, Texas.

The message further announced that pursuant to section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), as amended by section 1601 of Public Law 111–68, and the order of the House of January 3, 2013, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Trustees of the Open World Leadership Center: Mr. FORTENBERRY of Nebraska.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 803. An act to reform and strengthen the workforce investment system of the Nation to put Americans back to work and make the United States more competitive in the 21st century; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 582. A bill to approve the Keystone XL Pipeline.

S. 583. A bill to implement equal protection under the 14th article of amendment to the Constitution for the right to life of each born and preborn human person.

REPORTS OF COMMITTEES DURING ADJOURNMENT

Under the authority of the order of the Senate of March 14, 2013, the following reports of committees were submitted on March 15, 2013:

By Mrs. MURRAY, from the Committee on the Budget, without amendment:

S. Con. Res. 8. An original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2014, revising the appropriate budgetary levels for fiscal year 2013, and setting forth the appropriate budgetary levels for fiscal years 2015 through 2023.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN:

S. 584. A bill for the relief of Jorge Rojas Gutierrez, Olivia Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 585. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 586. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 587. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 588. A bill for the relief of Robert Liang and Alice Liang; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 589. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 590. A bill for the relief of Claudia Marquez Rico; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 591. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 592. A bill for the relief of Alicia Aranda De Buendia and Ana Laura Buendia Aranda; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 593. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 594. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

By Mrs. FEINSTEIN:

S. 595. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

By Mr. THUNE (for himself and Mr. FRANKEN):

S. 596. A bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to furnish remote patient monitoring services that reduce expenditures under such program; to the Committee on Finance.

By Mr. LEAHY:

S. 597. A bill to ensure the effective administration of criminal justice; to the Committee on the Judiciary.

By Mrs. FEINSTEIN (for herself and Mr. NELSON):

S. 598. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. NELSON (for himself and Mrs. FEINSTEIN):

S. 599. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. BROWN):

S. 600. A bill to amend the Immigration and Nationality Act to reform and reduce fraud and abuse in certain visa programs for aliens working temporarily in the United States, and for other purposes; to the Committee on the Judiciary.

By Mrs. BOXER (for herself and Mr. VITTER):

S. 601. A bill to provide for the conservation and development of water and related resources, to authorize the Secretary of the Army to construct various projects for improvements to rivers and harbors of the United States, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ:

S. Res. 77. A resolution expressing the sense of Congress relating to the commemoration of the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand; to the Committee on Foreign Relations.

By Ms. STABENOW (for herself, Mr. BEGICH, Ms. MIKULSKI, Mr. COONS, and Mr. JOHNSON of South Dakota):

S. Res. 78. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on the Judiciary.

By Mr. BURR (for himself and Ms. LANDRIEU):

S. Res. 79. A resolution supporting the goals and ideals of Take Our Daughters and Sons To Work Day; considered and agreed to.

ADDITIONAL COSPONSORS

S. 19

At the request of Mr. CORNYN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 19, a bill to amend the Endangered Species Act of 1973 to establish a procedure for approval of certain settlements.

S. 169

At the request of Mr. HATCH, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 169, a bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes.

S. 210

At the request of Mr. HELLER, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 210, a bill to amend title 18, United States Code, with respect to fraudulent representations about having received military declarations or medals.

S. 217

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 217, a bill to amend the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to collect information from coeducational elementary schools and secondary schools on such schools' athletic programs, and for other purposes.

S. 234

At the request of Mr. REID, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 234, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 289

At the request of Ms. LANDRIEU, the name of the Senator from Massachusetts (Mr. COWAN) was added as a cosponsor of S. 289, a bill to extend the low-interest refinancing provisions under the Local Development Business Loan Program of the Small Business Administration.

S. 309

At the request of Mr. HARKIN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 309, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 313

At the request of Mr. CASEY, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for the tax treatment of ABLE accounts established under State programs for the care of family members with disabilities, and for other purposes.

S. 336

At the request of Mr. ENZI, the names of the Senator from Hawaii (Ms. HIRONO) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 336, a bill to restore States' sovereign rights to enforce State and local sales and use tax laws, and for other purposes.

S. 338

At the request of Mr. BAUCUS, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 338, a bill to amend the Land and Water Conservation Fund Act of 1965 to provide consistent and reliable authority for, and for the funding of, the land and water conservation

fund to maximize the effectiveness of the fund for future generations, and for other purposes.

S. 345

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 345, a bill to reform the Federal sugar program, and for other purposes.

S. 370

At the request of Ms. MIKULSKI, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 370, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 381

At the request of Mr. BROWN, the names of the Senator from North Dakota (Ms. HEITKAMP) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 381, a bill to award a Congressional Gold Medal to the World War II members of the ''Doolittle Tokyo Raiders'', for outstanding heroism, valor, skill, and service to the United States in conducting the bombings of Tokyo.

S. 407

At the request of Mr. CASEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 407, a bill to provide funding for construction and major rehabilitation for projects located on inland and intracoastal waterways of the United States, and for other purposes.

S. 411

At the request of Mr. ROCKEFELLER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 411, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 420

At the request of Mr. ENZI, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 420, a bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule.

S. 462

At the request of Mrs. BOXER, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 462, a bill to enhance the strategic partnership between the United States and Israel.

S. 464

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 464, a bill to declare English as the official language of the United States, to establish a uniform English language rule for naturalization, and to avoid misconstructions of the English language texts of the laws of the United States, pursuant to Congress' powers to provide for the general welfare of the United States and to establish a uniform rule of naturalization under article I, section 8, of the Constitution.

S. 470

At the request of Mr. TESTER, the names of the Senator from Kansas (Mr. MORAN), the Senator from Delaware (Mr. CARPER) and the Senator from Pennsylvania (Mr. TOOMEY) were added as cosponsors of S. 470, a bill to amend title 10, United States Code, to require that the Purple Heart occupy a position of precedence above the new Distinguished Warfare Medal.

S. 480

At the request of Mr. GRAHAM, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 480, a bill to improve the effectiveness of the National Instant Criminal Background Check System by clarifying reporting requirements related to adjudications of mental incompetency, and for other purposes.

S. 490

At the request of Mr. HELLER, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 490, a bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on fuels used in mobile mammography vehicles.

S. 500

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 500, a bill to amend the Internal Revenue Code of 1986 to apply payroll taxes to remuneration and earnings from self-employment up to the contribution and benefit base and to remuneration in excess of $250,000.

S. 505

At the request of Mr. CRUZ, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 505, a bill to prohibit the use of drones to kill citizens of the United States within the United States.

S. 512

At the request of Mr. GRASSLEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 512, a bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented and high-ability learners by empowering the Nation's teachers, and for other purposes.

S. 536

At the request of Mr. RUBIO, the name of the Senator from Wisconsin (Mr. JOHNSON) was added as a cosponsor of S. 536, a bill to require a study and report by the Comptroller General of the United States regarding the costs of Federal regulations.

S. 557

At the request of Mrs. HAGAN, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 557, a bill to amend title XVIII of the Social Security Act to improve access to medication therapy management under part D of the Medicare program.

S. 565

At the request of Mr. DURBIN, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 565, a bill to provide for the safe and reliable navigation of the Mississippi River, and for other purposes.

S. CON. RES. 7

At the request of Mr. MORAN, the names of the Senator from Nebraska (Mrs. FISCHER) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. Con. Res. 7, a concurrent resolution expressing the sense of Congress regarding conditions for the United States becoming a signatory to the United Nations Arms Trade Treaty, or to any similar agreement on the arms trade.

S. RES. 65

At the request of Mr. MCCONNELL, his name was added as a cosponsor of S. Res. 65, a resolution strongly supporting the full implementation of United States and international sanctions on Iran and urging the President to continue to strengthen enforcement of sanctions legislation.

At the request of Mr. GRAHAM, the names of the Senator from Washington (Ms. CANTWELL), the Senator from Idaho (Mr. RISCH), the Senator from Mississippi (Mr. COCHRAN), the Senator from Alabama (Mr. SHELBY), and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. Res. 65, supra.

S. RES. 75

At the request of Mr. KIRK, the names of the Senator from Pennsylvania (Mr. CASEY) and the Senator from Nebraska (Mr. JOHANNS) were added as cosponsors of S. Res. 75, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

AMENDMENT NO. 55

At the request of Mr. MORAN, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Wyoming (Mr. ENZI), the Senator from Montana (Mr. TESTER), and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of amendment No. 55 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 72

At the request of Mr. INHOFE, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of amendment No. 72 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 79

At the request of Mrs. SHAHEEN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of amendment No. 79 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 80

At the request of Mr. ROCKEFELLER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of amendment No. 80 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 81

At the request of Mr. BROWN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of amendment No. 81 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 107

At the request of Mr. FRANKEN, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of amendment No. 107 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

AMENDMENT NO. 111

At the request of Mr. BAUCUS, the names of the Senator from North Dakota (Mr. HOEVEN), the Senator from Iowa (Mr. GRASSLEY), and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of amendment No. 111 intended to be proposed to H.R. 933, a bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN:

S. 584. A bill for the relief of Jorge Rojas Gutierrez, Olivia Gonzalez Gonzalez, and Jorge Rojas Gonzalez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a private relief bill on behalf of Jorge Rojas Gutierrez, his wife, Oliva Gonzalez Gonzalez, and their son, Jorge Rojas Gonzalez, Jr. The Rojas family, originally from Mexico, is living in the San Jose area of California.

The story of the Rojas family is compelling, and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

Jorge and his wife, Oliva, originally came to the United States in 1990 when their son Jorge Rojas, Jr. was just 2 years old. In 1995, they left the country to attend a funeral, and then re-entered the United States on visitor's visas.

The family has since expanded to include two sons, Alexis Rojas, now 20 years old, Matias, now 3 years old, a daughter Tania Rojas, now age 18, and a granddaughter, Mina Rojas, who is 3 years old.

The Rojas family first attempted to legalize their status in the United States when an unscrupulous immigration consultant, who was not an attorney, advised them to apply for asylum. Unfortunately, without proper legal guidance, this family did not realize at the time that they lacked a valid basis for asylum. The asylum claim was denied in 2008, leaving the Rojas family with no further options to legalize their status.

Since their arrival in the United States more than 20 years ago, the Rojas family has demonstrated a robust work ethic and a strong commitment to their community in California. They have paid their taxes and worked hard to contribute to this country.

Jorge is a hard-working individual who has been employed by Valley Crest Landscape Maintenance in San Jose, California, for the past 16 years. Currently, he works on commercial landscaping projects. Jorge is well-respected by his supervisor and his peers.

In addition to supporting his family, Jorge has volunteered his time to provide modern green landscaping and building projects at his children's school in California. He is active in his neighborhood association, where he worked with his neighbors to open a library and community center in their community.

Oliva, in addition to raising her three children, has also been very active in the local community. She volunteers with the People Acting in Community Together, PACT, organization, where she works to prevent crime, gangs and drug dealing in San Jose neighborhoods and schools.

Perhaps one of the most compelling reasons for permitting the Rojas family to remain in the United States is the impact that their deportation would have on their four children. Three of the Rojas children, Alexis, Tanya, and Matias are American citizens. Jorge Rojas, Jr. has lived in the United States since he was a toddler.

For Alexis, Tanya, Matias and Jorge Jr., this country is the only country they really know. Jorge Rojas, Jr., who entered the United States as an infant with his parents, recently became a father. He is now 24 years old and working at a job that allows him to support his daughter, Mina. Jorge Jr. graduated from Del Mar High School in 2007.

Alexis, age 20, graduated from Del Mar High School and is now a student at West Valley College in Saratoga, California. He is interested in studying linguistics. Tania, age 18, recently graduated from Del Mar High School and is in her first year at West Valley College. Their teachers describe them as ''fantastic, wonderful and gifted'' students.

It seems so clear to me that this family has embraced the American dream and their continued presence in our country would do so much to enhance the values we hold dear.

When I first introduced this bill, I received dozens of letters from the community in Northern California in support of this family. Enactment of this private bill legislation will enable the Rojas family to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 584

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR JORGE ROJAS GUTIERREZ, OLIVA GONZALEZ GONZALEZ, AND JORGE ROJAS GONZALEZ.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section

204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, or Jorge Rojas Gonzalez enters the United States before the filing deadline specified in subsection (c), Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, or Jorge Rojas Gonzalez, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Jorge Rojas Gutierrez, Oliva Gonzalez Gonzalez, and Jorge Rojas Gonzalez under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 585. A bill for the relief of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing private immigration relief legislation to provide lawful permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and their daughter, Adilene Martinez. This family is originally from Mexico but has been living in California for twenty years. I believe they merit Congress' special consideration for this extraordinary form of relief.

When Jose came to the United States from Mexico, he began working as a busboy in restaurants in San Francisco, California. In 1990, he started working as a cook at Palio D'Asti, an award-winning Italian restaurant in San Francisco.

Jose worked his way through the ranks, eventually becoming Palio's sous chef. His colleagues describe him as a reliable and cool-headed coworker, and as ''an exemplary employee'' who not only is ''good at his job but is also a great boss to his subordinates.''

He and his wife, Micaela, call San Francisco home. Micaela works as a housekeeper and a part-time cook at a restaurant in San Francisco. They have three daughters, two of whom are United States citizens. Their oldest child Adilene, age 24, is undocumented. Adilene graduated from the Immaculate Conception Academy and attended San Francisco City College. She is now studying nursing at Los Medranos College.

The Martinez's second daughter, Jazmin, graduated from Leadership High School and is now studying at California State University, Dominguez Hills. Jazmin is a United States citizen and has been diagnosed with asthma. According to her doctor, if the family returns to Mexico, the high altitude and air pollution in Mexico City could be fatal to Jazmin.

The Martinez family attempted to legalize their status through several channels.

In 2001, Jose's sister, who has legal status, petitioned for Jose to get a green card. However, the current green card backlog for siblings from Mexico is long, and it will be many years before Jose will be eligible to legalize his status though his sister.

In 2002, the Martinez family applied for political asylum. Their application was denied. An immigration judge denied their subsequent application for cancellation of removal because he could not find the ''requisite hardship'' required for this form of immigration relief. Ironically, the immigration judge who reviewed their case found that Jose's culinary ability was a negative factor weighing against keeping the family in the United States, finding that Jose's skills indicated that he could find a job in Mexico.

Finally, Daniel Scherotter, the executive chef and owner of Palio D'Asti, petitioned for legal status for Jose based upon Jose's unique skills as a chef. Jose's petition was approved by U.S. Citizenship and Immigration Services; however, he cannot apply for permanent residency because of his immigration history.

Jose, Micaela, and their daughter, Adilene, have no other administrative options to legalize their status. If they are deported, they will face a several-year ban from returning to the United States. Jose and Micaela will be separated from their American citizen-children and their community.

The Martinez family has become an integral part of their community in California. They are active in their faith community and their children's schools. They volunteer with community-based organizations and are, in turn, supported by their community. When I first introduced this bill, I received dozens of letters of support from their fellow parishioners, teachers, and members of their community.

The Martinez family truly embraces the American dream. Jose worked his way through the restaurant industry to become a chef and an indispensable employee at a renowned restaurant. Adilene worked hard in high school and is now attending college.

I believe the Martinez family's presence in the United States allows them to continue making significant contributions to their community in California.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 585

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez shall each be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of the birth of Jose Alberto Martinez Moreno, Micaela Lopez Martinez, and Adilene Martinez under section 202(e) or 203(a) of the Immigration and Nationality Act (8 U.S.C. 1152(e) and 1153(a)), as applicable.

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 586. A bill for the relief of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to offer legislation to provide lawful permanent residence status to Alfredo Plascencia Lopez and his wife, Maria del Refugio Plascencia, Mexican nationals who live in the San Bruno area of California.

I have decided to offer legislation on their behalf because I believe that, without it, this hardworking couple and their five children, all United States citizens, would face extreme hardship. Their children would either face separation from their parents or be forced to leave the only country

they know and give up on their education in the United States.

The Plascencias have been in the United States for over 20 years. They worked for years to adjust their status through appropriate legal channels, but poor legal representation ruined their opportunities. The Plascencia's lawyer refused to return their calls or otherwise communicate with them in any way. He also failed to forward crucial immigration documents, or even notify the Plascencias that he had them. Because of the poor representation they received, Alfredo and Maria only became aware that they had been ordered to leave the United States fifteen days prior to their scheduled deportation.

The Plascencias were shocked to learn of their attorney's malfeasance, but they acted quickly to secure legitimate counsel and to file the appropriate paperwork to delay their deportation to determine if any other legal action could be taken.

Since arriving in the United States in 1988, Alfredo and Maria have proven themselves a civic-minded couple who share our American values of hard work, dedication to family, and devotion to community.

Maria has distinguished herself as a medical assistant at a Kaiser Permanente hospital in the Bay Area. Not satisfied with working as a maid at a local hotel, she went to school, earned her high school equivalency degree, and improved her skills to become a medical assistant. She recently completed school to become a Licensed Vocational Nurse, and is scheduled to take the Nursing Board Examination.

Several Californians who wrote to me in support of Maria describe her as ''responsible,'' ''efficient,'' and ''compassionate.'' Kaiser Permanente's Director of Internal Medicine wrote to say that Maria is ''an asset to the community and exemplifies the virtues we Americans extol: hardworking, devoted to her family, trustworthy and loyal, [and] involved in her community. She and her family are a solid example of the type of immigrant that America should welcome wholeheartedly.''

Together, Alfredo and Maria have used their professional successes to realize many of the goals dreamed of by all Americans. They saved up and bought a home. They own a car. They have good health care benefits, and they each have begun saving for retirement. They are sending their daughters, Christina and Erika, to college and plan to send the rest of their children to college as well.

Allowing the Plascencias to remain in the United States would preserve their achievements and ensure that they will be able to make substantive contributions to the community in the future.

In addition, this bill will have a positive impact on the couple's United States citizen children, who are dedicated to pursuing their educations and becoming productive members of their community.

Christina is the Plascencias' oldest child. She is 22 years old, working and taking classes at Chabot College. She would like to be a paralegal. Erika, age 18, graduated from high school and is currently taking classes at Skyline College. Erika's teachers praise her abilities and have referred to her as a ''bright spot'' in the classroom.

Alfredo and Maria also have three young children: Alfredo, Jr., age 16, Daisy, age 11, and Juan-Pablo, age 6.

Removing Alfredo and Maria from the United States would be tragic for their children. The Plascencia children were born in America and through no fault of their own have been thrust into a situation that has the potential to dramatically alter their lives.

It would be especially tragic if Erika, Alfredo, and Daisy have to leave the United States. They are old enough to understand that they are leaving their schools, their teachers, their friends, and their home. They would leave everything that is familiar to them.

The Plascencia family would then be in Mexico without a means for supporting themselves and with no place to live. The children would have to acclimate to a different culture, language, and way of life.

The only other option would be for Alfredo and Maria to leave their children here with relatives. This separation is a choice that no parents should have to make.

I am reintroducing this legislation because I believe that the Plascencias will continue to make positive contributions to their community in California and this country. The Plascencia children should be given the opportunity to realize their full potential in the United States, with their family intact.

I respectfully ask my colleagues to support this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 586

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR ALFREDO PLASCENCIA LOPEZ AND MARIA DEL REFUGIO PLASCENCIA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Alfredo Plascencia Lopez and Maria Del Refugio Plascencia shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of that Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alfredo Plascencia Lopez or Maria Del Refugio Plascencia enter the United States before the filing deadline specified in subsection (c), Alfredo Plascencia Lopez or Maria Del Refugio Plascencia, as appropriate, shall be considered to have entered and remained lawfully and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of immigrant visas or the application for adjustment of status are filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas or permanent residence to Alfredo Plascencia Lopez and Maria Del Refugio Plascencia, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Alfredo Plascencia Lopez and Maria Del Refugio Plascencia under section 202(e) of that Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 587. A bill for the relief of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to reintroduce private relief legislation on behalf of Ruben Mkoian, Asmik Karapetian, and their son, Arthur Mkoyan. The Mkoian family has been living in Fresno, California, for over 15 years. I continue to believe this family deserves Congress' special consideration for such an extraordinary form of relief as a private bill.

The Mkoian family is originally from Armenia. They decided to leave Armenia for the United States in the early 1990s, following several incidents in which the family experienced vandalism and threats to their well-being.

In Armenia, Ruben worked as a police sergeant on vehicle licensing. At one point, he was offered a bribe to register stolen vehicles, which he refused and reported to his superior, the police chief. He later learned that a co-worker had gone ahead and registered the vehicles at the request of the chief.

Several disturbing incidents occurred after Ruben reported the bribe to illegally register vehicles. Ruben's store was vandalized; after he said he would call the police, he received threatening phone calls telling him to keep quiet. At one point, the Mkoians suffered the loss of their home when a bottle of gasoline was thrown into their residence, burning it to the ground. In April 1992, several men entered the family store and assaulted Ruben, hospitalizing him for 22 days.

Ruben, Asmik, and their 3-old son, Arthur, left Armenia soon thereafter

and entered the United States on visitor visas. They applied for political asylum in 1992 on the grounds that they would be subject to physical attacks if returned to Armenia. It took 16 years for their case to be finalized, and the Ninth Circuit Court of Appeals denied their asylum case in January 2008.

At this time, Ruben, Asmik, and Arthur have exhausted every option to remain legally in the United States.

The Mkoians have worked hard to build a place for their family in California. Ruben works as a manager at a car wash in Fresno. He previously worked as a truck driver for a California trucking company that described him as ''trustworthy,'' ''knowledgeable,'' and an asset to the company. Asmik has completed training at a local community college and is now a full-time medical assistant with Fresno Shields Medical Group.

The Mkoians attend St. Paul Armenian Apostolic Church in Fresno. They do charity work to send medical equipment to Armenia. Asmik also teaches Armenian School on Saturdays at the church.

I would particularly like to highlight the achievements of Ruben and Asmik's two children, Arthur and Arsen, who were raised in California and have been recognized publicly for their scholastic achievements.

I first introduced a private bill for this family on Arthur's high school graduation day. Despite being undocumented, Arthur maintained a 4.0 grade point average in high school and was a valedictorian for the class of 2008. Arthur, now 22 years old, graduated from the University of California, Davis with a major in Chemistry. He maintained excellent grades and was on the Dean's Merit List.

Arthur's brother, Arsen, is 16 years old and a United States citizen. He currently attends Bullard High School in Fresno, where he does well in his classes, maintaining a 4.3 grade point average.

I believe Arthur and Arsen are two young individuals with great potential here in the United States. Like their parents, they have demonstrated their commitment to working hard—and they are succeeding. They clearly aspire to do great things here in the United States.

It has been more than 18 years since Ruben, Asmik, and Arthur left Armenia. This family has few family members and virtually no supporting contacts in Armenia. They invested their time, resources, and effort in order to remain in the United States legally, to no avail. A private relief bill is the only means to prevent them from being forced to return to a country that long ago became a closed chapter of their past.

When I first introduced a bill on behalf of the Mkoian family in 2008, I received written endorsements from Representatives George Radanovich, R–CA, and Jim Costa, D–CA, in strong support of the family. I also received more than 200 letters of support and dozens of calls of support from friends and community members, attesting to the positive impact that this family has had in Fresno, CA.

I believe that this case warrants our compassion and our extraordinary consideration. I respectfully ask my colleagues to support this private legislation on behalf of the Mkoian family.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 587

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR RUBEN MKOIAN, ASMIK KARAPETIAN, AND ARTHUR MKOYAN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Ruben Mkoian, Asmik Karapetian, or Arthur Mkoyan enters the United States before the filing deadline specified in subsection (c), Ruben Mkoian, Asmik Karapetian, or Arthur Mkoyan, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent resident status to Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan, the Secretary of State shall instruct the proper officer to reduce by 3, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Ruben Mkoian, Asmik Karapetian, and Arthur Mkoyan under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 588. A bill for the relief of Robert Liang and Alice Liang; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to reintroduce private relief legislation for Robert Kuan Liang and his wife, Chun-Mei, ''Alice'', Hsu-Liang.

I first introduced a private bill for Robert and Alice in 2003. Since then this family has only further demonstrated their hard work ethic and commitment to realizing the American dream. I continue to believe that Robert and Alice merit Congress' special consideration and the extraordinary relief provided by private legislation.

Robert and Alice have been living in San Bruno, CA, for the last 27 years. Robert is a national and refugee from Laos, and Alice is originally from Taiwan. They have three children who are all United States citizens. I am concerned that forcing Robert and Alice to return to their home countries would tear this family apart and cause immense and unwarranted hardship to them and their children.

Robert and Alice have called California their home since they first entered the United States in 1983. They came here legally on tourist visas. They face deportation today because they remained in the United States past the terms of their visas, and because their attorney failed to handle their immigration case on a timely basis before federal immigration laws changed in 1996.

In many ways, the Liang family represents a uniquely American success story. Robert was born in Laos, but fled the country as a teenager after his mother was killed by Communists. He witnessed many traumatic experiences in his youth, including the attack that killed his mother and frequent episodes of wartime violence. He routinely witnessed the brutal persecution and deaths of others in his village in Laos. In 1975, he was granted refugee status in Taiwan.

Robert and his wife risked everything to come to the United States. Despite the challenges of their past, they built a family in California and established a place for themselves in the local community. They are homeowners. They own a successful business, Fong Yong Restaurant. They file annual income taxes and are financially stable.

Robert and Alice support their three children, Wesley, Bruce, and Eva, who are all American citizens. Wesley is now 21 years old and studying at City College of San Francisco. The younger children, Bruce and Eva, attend schools in the San Bruno area and continue to do well in their classes.

There are many reasons to believe that deporting Robert and Alice would have a harmful impact on the children, who have all of their ties to the United States. Deportation would either break this family apart or force them to relocate to a country entirely foreign to the one they know to be home.

The Immigration Judge who presided over Robert and Alice's case in 1997

also concluded that Robert and Alice's deportation would adversely impact the Liang children.

Moreover, Robert would face significant hurdles if deported, having fled Laos as a refugee more than 27 years ago. The emotional impact of the wartime violence Robert experienced at a young age was traumatic and continues to strain him. He battles severe clinical depression here in the United States. Robert fears that if he is deported and moves to his wife's home country, Taiwan, he will face discrimination on account of his nationality. Robert does not speak Taiwanese, and he worries about how he would pursue mental health treatment in a foreign country.

Robert and Alice have worked since 1993 to resolve their immigration status. They filed for relief from deportation; however, it took nearly five years for the Immigration and Naturalization Service, INS, to act on the case. By the time their case went through in 1997, the immigration laws had changed and the Liangs were no longer eligible for relief. I supported these changes, set forth in the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. But, I also believe there may be situations worthy of special consideration.

Robert and Alice Liang represent one such example. They are long-term residents of the United States. Their children are all U.S. citizens. The Immigration Judge that presided over the appeal of this case determined that Robert and Alice would have qualified for relief from deportation, in light of these positive factors, had the INS given their case timely consideration. Unfortunately, their immigration case took nearly five years to move forward.

A private bill is the only way for both Robert and Alice to remain in the United States together with their family. They have worked extraordinarily hard to make the United States their home. I believe Robert and Alice deserve the relief provided by a private bill.

I respectfully ask my colleagues to support this private relief bill on behalf of the Liangs.

Mr. President, I ask unanimous consent that a copy of the bill be included in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 588

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Robert Liang and Alice Liang shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for issuance of an immigrant visa or for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas to Robert Liang and Alice Liang, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Robert Liang and Alice Liang under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Robert Liang and Alice Liang under section 202(e) of that Act (8 U.S.C. 1152(e)).

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 589. A bill for the relief of Joseph Gabra and Sharon Kamel; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I am reintroducing private relief legislation on behalf of Joseph Gabra and Sharon Kamel, a couple living with their family in Camarillo, CA.

Joseph and Sharon are nationals of Egypt who fled their home country over twelve years ago after being targeted for their religious involvement in the Christian Coptic Church in Egypt. They became involved with this church during the 1990s, Joseph as an accountant and project coordinator helping to build community facilities and Sharon as the church's training director in human resources.

Unfortunately, Joseph and Sharon were also subjected to threats and abuse. Joseph was jailed repeatedly because of his involvement with the church. Sharon's family members were violently targeted, including her cousin who was murdered and her brother whose business was firebombed. When Sharon became pregnant with her first child, she was threatened by a member of a different religious organization against raising her child in a non-Muslim faith.

Joseph and Sharon came to the United States legally seeking refuge in November 1998. They immediately notified authorities of their intent to seek protection in the United States, filing for political asylum in May 1999.

However, Joseph, who has a speech impediment, had difficulty communicating why he was afraid to return to Egypt, and one year later their asylum application was denied because they could not adequately establish that they were victims of persecution. Joseph and Sharon pursued the appropriate means for appealing this decision, to no avail.

It should be noted that sometime later Sharon's brother applied for asylum in the United States. He, too, applied on the basis of persecution he and his family faced in Egypt, but his application was approved and he was granted this status in the United States.

There are no other avenues for Joseph and Sharon to pursue relief here in the United States. If they are deported, they will be forced back to a country where they sincerely fear for their safety.

Since arriving in the United States more than twelve years ago, Joseph and Sharon have built a family here, including four children who are United States citizens: Jessica, age 14, Rebecca, age 13, Rafael, age 12, and Veronica, age 7. Jessica, Rebecca, and Rafael attend school in California and maintain good grades. Veronica is attending second grade at Camarillo Heights Elementary School.

Joseph and Sharon worked hard to achieve financial security for their children, and they created a meaningful place for their family in California. Both earned college degrees in Egypt. Joseph, who has his Certified Public Accountant license, has opened his own accounting firm.

Joseph and Sharon carry strong support from friends, members of their local church, and other Californians who attest to their good character and community contributions.

I am concerned that the entire family would face serious and unwarranted hardships if forced to relocate to Egypt. For Jessica, Rebecca, Rafael, and Veronica, the only home they know is in the United States. It is quite possible these four American children would face discrimination or worse in Egypt on account of their religion, as was the experience of many of their family members.

Joseph and Sharon have made a compelling plea to remain in the United States. These parents emphasize their commitment to supporting their children and making a healthy and productive place for them to grow up in California. I believe this family deserves that opportunity.

I respectfully ask my colleagues to support this private relief bill on behalf of Joseph Gabra and Sharon Kamel.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Joseph Gabra and Sharon Kamel shall each be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for adjustment of status to that of an alien lawfully admitted for permanent residence under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) upon filing an application for such adjustment of status.

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of permanent resident status to Joseph Gabra and Sharon Kamel, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Joseph Gabra and Sharon Kamel under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)), or, if applicable, the total number of immigrant visas that are made available to natives to the country of birth of Joseph Gabra and Sharon Kamel under section 202(e) of that Act (8 U.S.C. 1152(e)).

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 590. A bill for the relief of Claudia Marquez Rico; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I come to the floor today to reintroduce private relief legislation for Claudia Marquez Rico. I first introduced a private bill for Claudia back in 2006. This young woman has lived in California for most of her life. She suffered tremendous hardship after the sudden death of her parents more than ten years ago. I believe she deserves the special relief granted by a private bill.

Claudia was born in Jalisco, Mexico. She was only 6 years old when her parents brought her, and her two younger brothers, to the United States.

Ten years ago, tragedy struck this family. Early in the morning on October 4, 2000, while driving to work, Claudia's parents were killed in a horrific car accident when their vehicle collided with a truck on a rural road.

Suddenly orphaned, Claudia and her siblings were fortunate enough to have a place to go. They were welcomed into the loving home of their aunt, Hortencia, and uncle, Patricio, who are both United States citizens. Hortencia and Patricio are active at Buen Pastor Catholic Church. Patricio is a youth soccer coach. This couple raised the Marquez children as their own, counseling them through the loss of their parents and helping them with their school work. They became the legal guardians of the Marquez children in 2001.

Claudia likely would have resolved her immigration status, were it not for poor legal representation. The death of the Marquez parents meant that Claudia and her siblings should have qualified for special immigrant juvenile status. Congress created this special immigrant status to protect children under extraordinary circumstances and spare them the hardship of deportation when a state court deems the children to be dependents as a result of abuse, abandonment, or neglect. In fact, Claudia's younger brother, Omar, was granted this special immigrant juvenile status, providing him legal permanent residency.

However, the lawyer for the Marquez children failed to secure this relief for Claudia. She has now reached the age of majority without having resolved her immigration status, making her ineligible for this special relief.

It is important to take note that the lawyer who handled this case was faced with charges on numerous counts of professional incompetence and moral turpitude for mishandling immigration cases. The California State Bar accused him of a ''despicable and far-reaching pattern of misconduct.'' As a result, the lawyer resigned from the Bar and is currently ineligible to practice law in California.

Claudia deserved a fair chance at resolving her immigration status, but her attorney's egregious behavior stripped her of this opportunity.

Claudia, nonetheless, finished school despite these adverse circumstances. She secured a job in Redwood City, California, and she currently lives with her younger sister, Maribel, in Menlo Park, where they care for their grandfather. Claudia also provides financial support to her two brothers, Jose and Omar, whenever necessary. She is still active in the local community, attending San Clemente Catholic Church in Hayward.

It would be an injustice to add to the Marquez family's misfortune by tearing these siblings apart. Claudia and her siblings have come to rely on each other in the absence of their deceased parents, and Claudia is clearly a central support of this family. Moreover, Claudia has never visited Mexico and has no close relatives in the country. She was so young when her parents brought her to the United States that she has no memories of Mexico.

I am reintroducing a private relief bill on Claudia's behalf because I believe her removal from the United States would go against our standard of fairness and would only cause additional hardship on a family that already endured so much.

I respectfully ask my colleagues to support this private relief legislation on behalf of Claudia Marquez Rico.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 590

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR CLAUDIA MARQUEZ RICO.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Claudia Marquez Rico shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Claudia Marquez Rico enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and, if otherwise eligible, shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Claudia Marquez Rico, the Secretary of State shall instruct the proper officer to reduce by 1, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Claudia Marquez Rico under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Claudia Marquez Rico under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) DENIAL OF PREFERENTIAL IMMIGRATION TREATMENT FOR CERTAIN RELATIVES.—The natural parents, brothers, and sisters of Claudia Marquez Rico shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(f) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 591. A bill for the relief of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today, I offer private immigration relief legislation to provide lawful permanent resident status to Esidronio Arreola-Saucedo, Maria Elena Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola. The Arreolas are Mexican nationals living in the Fresno area of California.

Mr. and Mrs. Arreola have lived in the United States for over 20 years. Two of their five children, Nayely, age 27, and Cindy, age 22, also stand to benefit from this legislation.

The other three Arreola children, Robert, age 21, Daniel, age 17, and Saray, age 16, are United States citizens. Today, Esidronio and Maria Elena and their two eldest children face deportation.

The story of the Arreola family is compelling and I believe they merit Congress' special consideration for

such an extraordinary form of relief as a private bill.

The Arreolas are facing deportation in part because of grievous errors committed by their previous counsel, who has since been disbarred. In fact, the attorney's conduct was so egregious that it compelled an immigration judge to write the Executive Office of Immigration Review seeking the attorney's disbarment for his actions in his client's immigration cases.

Mr. Arreola came to the United States in 1986 and was an agricultural migrant worker in the fields of California for several years. As a migrant worker at that time, he would have been eligible for permanent residence through the Special Agricultural Workers or SAW program, had he known about it.

Maria Elena was living in the United States at the time she became pregnant with her daughter Cindy. She returned to Mexico to give birth because she wanted to avoid any problems with the Immigration and Naturalization Service.

Because of the length of time that the Arreolas were in the United States, it is likely that they would have qualified for suspension of deportation, which would have allowed them to remain in the United States legally. However, their poor legal representation foreclosed this opportunity.

One of the most compelling reasons for my introduction of this private bill is the devastating impact the deportation of Esidronio and Maria Elena would have on their children—three of whom are American citizens—and the other two who have lived in the United States since they were toddlers. For these children, this country is the only country they really know.

Nayely, the oldest, was the first in her family to graduate from high school and the first to graduate college. She attended Fresno Pacific University, a regionally ranked university, on a full tuition scholarship package and worked part-time in the admissions office. She graduated from Fresno Pacific University with a degree in Business Administration and is working on her graduate degree. Nayely recently got married and now has a newborn son.

At a young age, Nayely demonstrated a strong commitment to the ideals of citizenship in her adopted country. She worked hard to achieve her full potential both through her academic endeavors and community service. As the Associate Dean of Enrollment Services at Fresno Pacific University states in a letter of support, ''[T]he leaders of Fresno Pacific University saw in Nayely, a young person who will become exemplary of all that is good in the American dream.''

In high school, Nayely was a member of Advancement Via Individual Determination, a college preparatory program in which students commit to determining their own futures through achieving a college degree. Nayely was also President of the Key Club, a community service organization. Perhaps the greatest hardship to this family, if forced to return to Mexico, will be her lost opportunity to realize her dreams and further contribute to her community and to this country.

Nayely's sister, Cindy, also recently married and has a three-year-old daughter. Both Nayely and Cindy are barred from adjusting their status based on their marriages because they grew up in the United States undocumented.

The Arreolas also have other family who are United States citizens or lawful permanent residents of this country. Mrs. Arreola has three brothers who are American citizens, and Mr. Arreola has a sister who is an American citizen. They have no immediate family in Mexico.

According to immigration authorities, this family has never had any problems with law enforcement. I am told that they have filed their taxes for every year from 1990 to the present. They have always worked hard to support themselves.

As I mentioned, Mr. Arreola was previously employed as a farm worker, but now has his own business in California repairing electronics. His business has been successful enough to enable him to purchase a home for his family. He and his wife are active in their church community and in their children's education.

It is clear to me that this family has embraced the American dream. Enactment of the legislation I have reintroduced today will enable the Arreolas to continue to make significant contributions to their community as well as the United States.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 591

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ADJUSTMENT OF STATUS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any order, for the purposes of the Immigration and Nationality Act (8 U.S.C. 1101 et seq.), Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola shall be deemed to have been lawfully admitted to, and remained in, the United States, and shall be eligible for issuance of an immigrant visa or for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255).

(b) APPLICATION AND PAYMENT OF FEES.—Subsection (a) shall apply only if the applications for issuance of immigrant visas or the applications for adjustment of status are filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(c) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of immigrant visas to Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola, the Secretary of State shall instruct the proper officer to reduce by 4, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Marina Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Esidronio Arreola-Saucedo, Maria Elna Cobian Arreola, Nayely Arreola Carlos, and Cindy Jael Arreola under section 202(e) of such Act (8 U.S.C. 1152(c)).

(d) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 592. A bill for the relief of Alicia Aranda De Buendia and Ana Laura Buendia Aranda; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I am reintroducing a private relief bill on behalf of the Buendias, a family who has lived in the Fresno area of California for more than 20 years. The beneficiaries of this bill include Alicia Aranda de Buendia and her daughter, Ana Laura Buendia Aranda. I believe this family merits Congress' special consideration.

Mrs. Buendia works season after season in California's labor-intensive agriculture industry. She currently works for a fruit packing company in Reedley, California. Mrs. Buendia and her husband have raised two outstanding children, Ana Laura, age 23, and Alex, age 21, who have both always excelled in school.

Ana Laura earned a 4.0 GPA at Reedley High School, and was offered an academic scholarship at the University of California, Berkeley. Unfortunately, she could not accept the scholarship because of her undocumented status.

Ana Laura nonetheless persisted. She enrolled at the University of California, Irvine and recently graduated with a major in Chicano Studies and Art.

Remarkably, the Buendias should have been able to correct their immigration status years ago. In 1999, it appeared they had succeeded when an Immigration Judge granted the family cancellation of removal based on the hardship their son, Alex, would face if deported to Mexico. However, the decision was appealed and ultimately overturned. At this point, the Buendias have exhausted their options to remain together as a family here in the United States.

In the more than 20 years of living in California, the Buendias have shown that they are committed to working to achieve the American dream. They

have a strong connection to their local community, as active members of the Parent Teachers Association and their church. They pay their taxes every year, paid off their mortgage, and remain free of debt. They have shown that they are responsible, maintaining health insurance, savings accounts, and retirement accounts.

Moreover, the Buendia children are excellent students pursuing higher education here in the United States. Without this private bill, these young adults will be separated from their family or forced to relocate to a country they simply do not know. I do not believe it is in the Nation's best interest to prevent talented youth raised here in the United States, who have good moral character and outstanding academic records, from realizing their future.

I respectfully ask my colleagues for their support of the Buendia family.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 592

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR ALICIA ARANDA DE BUENDIA AND ANA LAURA BUENDIA ARANDA.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Alicia Aranda De Buendia and Ana Laura Buendia Aranda shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Alicia Aranda De Buendia or Ana Laura Buendia Aranda enter the United States before the filing deadline specified in subsection (c), Alicia Aranda De Buendia or Ana Laura Buendia Aranda, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon the granting of an immigrant visa or permanent residence to Alicia Aranda De Buendia and Ana Laura Buendia Aranda, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or next following fiscal year—

(1) the total number of immigrant visas that are made available to natives of the country of birth of Alicia Aranda De Buendia and Ana Laura Buendia Aranda under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)); or

(2) if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Alicia Aranda De Buendia and Ana Laura Buendia Aranda under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 593. A bill for the relief of Guy Privat Tape and Lou Nazie Raymonde Toto; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a private relief bill on behalf of Guy Privat Tape and Lou Nazie Raymonde Toto. Mr. Tape and Ms. Toto are citizens of the Ivory Coast, but have been living in the San Francisco area of California for approximately 19 years.

The story of Mr. Tape and Ms. Toto is compelling and I believe they merit Congress' special consideration for such an extraordinary form of relief as a private bill.

Mr. Tape and Ms. Toto were subjected to numerous atrocities in the early 1990s in the Ivory Coast. After participating in a demonstration against the ruling party, they were jailed and tortured by their own government. Ms. Toto was brutally raped by her captors and several years later learned that she had contracted HIV.

Despite the hardships that they suffered, Mr. Tape and Ms. Toto were able to make a better life for themselves in the United States. Mr. Tape arrived in the U.S. in 1993 on a B1/B2 non-immigrant visa. Ms. Toto entered without inspection in 1995 from Spain. Despite being diagnosed with HIV, Ms. Toto gave birth to two healthy children, Melody, age 14, and Emmanuel, age 10.

Since arriving in the United States, this family has dedicated themselves to community involvement and a strong work ethic. They are active members of Easter Hill United Methodist Church.

Mr. Tape is employed as a security guard and unfortunately, in 2002, he was diagnosed with prostate cancer. While his doctor states that the cancer is currently in remission, he will continue to require life-long surveillance to monitor for recurrence of the disease.

In addition to raising her two children, Ms. Toto obtained a certificate to be a nurse's aide and currently works as a Resident Care Specialist at a nursing home in San Pablo, California. Ms. Toto continues to receive medical treatment for HIV. According to her doctor, without access to adequate health care and laboratory monitoring, she is at risk of developing life-threatening illnesses.

Mr. Tape and Ms. Toto applied for asylum when they arrived in the U.S., but after many years of litigation, the claim was ultimately denied by the 9th Circuit Court of Appeals.

Although the regime which subjected Mr. Tape and Ms. Toto to imprisonment and torture is no longer in power, Mr. Tape has been afraid to return to the Ivory Coast due to his prior association with former President Laurent Gbagbo. As a result, Mr. Tape strongly believes that his family will be targeted if they return to the Ivory Coast.

One of the most compelling reasons for permitting the family to remain in the United States is the impact their deportation would have on their two U.S. citizen children. For Melody and Emmanuel, the United States is the only country they have ever known. Mr. Tape believes that if the family returns to the Ivory Coast, these two young children will be forced to enter the army.

This bill is the only hope for this family to remain in the United States. To send them back to the Ivory Coast, where they may face persecution and inadequate medical treatment for their illnesses would be devastating to the family. I have received approximately 30 letters from the church community in support of this family.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 593

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR GUY PRIVAT TAPE AND LOU NAZIE RAYMONDE TOTO.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Guy Privat Tape and Lou Nazie Raymonde Toto shall each be eligible for the issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Guy Privat Tape or Lou Nazie Raymonde Toto enters the United States before the filing deadline specified in subsection (c), Guy Privat Tape or Lou Nazie Raymonde Toto, as appropriate, shall be considered to have entered and remained lawfully in the United States and shall be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for the issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees not later than 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBERS.—Upon granting an immigrant visa or permanent residence to Guy Privat Tape and Lou Nazie Raymonde Toto, the Secretary of State shall instruct the proper officer to reduce by 2, during the current or subsequent fiscal year, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 203(a) of the Immigration and Nationality

Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of birth of Guy Privat Tape and Lou Nazie Raymonde Toto under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 594. A bill for the relief of Javier Lopez-Urenda and Maria Leticia Arenas; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce a private relief bill on behalf of Javier Lopez-Urenda and Maria Leticia Arenas. Javier and Leticia, originally from Mexico, are the parents of three U.S. citizen children, Bryan, age 19, Ashley, age 15, and Nancy, age 9. This family lives in Fremont, California.

I first introduced a bill for Javier and Leticia in 2009, and I continue to believe they deserve Congress' special consideration for such an extraordinary form of relief as a private bill. Javier and Leticia are outstanding parents, volunteers, workers, and leaders in their community. Javier and Leticia came to the United States after each suffered the loss of a parent.

Leticia left Mexico at age 17 after her mother died from cancer. Javier came to the United States in 1990, at age 23, several years after the murder of his father in Michoacán, Mexico.

Javier had been living and working in the United States for 23 years when I first learned about this case. He originally entered the country looking for work to support his extended family. Today, Javier is a Maintenance Engineer at Full Bloom Baking Company in San Mateo, California, where he has been an employee for over 19 years. In fact, Javier was the second employee hired at Full Bloom when the company first began.

Javier's fellow co-workers at Full Bloom have written compelling letters to me about Javier's hard work ethic and valuable contributions. The company owners assert that with his help, the company grew to be one of the largest commercial bakeries in the Bay Area, today employing approximately 385 people.

They write that Javier is a mentor to others and maintains a ''tremendous amount of 'institutional knowledge' that can never be replaced.'' One of his co-workers wrote, ''Without Javier at the bakery, the lives of hundreds of people will change.''

Javier made attempts to legalize his status in the United States. At one point, he received an approved labor certification. However, his case could not be finalized due to poor timing and a lengthy immigration process. It took three years, for example, for his labor certification to be approved. By that time, Javier was already in removal proceedings and his case is now closed.

During consideration of Javier's case, the Ninth Circuit Court of Appeals acknowledged the difficult situation Javier faces. The Court wrote, ''We are not unmindful of the unique and extremely sympathetic circumstances of this case. By all accounts, Petitioner has been an exemplary father, employee, and member of his local community. If he were to be deported, he would be separated from his wife, three U.S. citizen children, and the life he has worked so hard to build over the past 17 years. In light of the unfortunate sequence of events leading up to this juncture and Petitioner's positive contributions to society, Petitioner may very well be deserving of prosecutorial grace.''

Unfortunately, the Court ultimately denied the case. Javier and his wife have no additional avenues for adjusting their status. A private bill is the only way for them to remain in the United States.

I believe it is important to consider the potentially harmful impact on Javier and Maria Leticia's three U.S. citizen children, Bryan, Ashley, and Nancy, should their parents be deported. Ashley, and Nancy are still in school in California, and Bryan is currently serving in the U.S. Marine Corps.

Javier owns their home in Fremont. He is the sole financial provider for his wife and children, while also providing some financial support to extended family members in Mexico. Javier and Leticia are good parents and play active roles in their children's lives. The Principal of Patterson Elementary School described Javier and Leticia as ''two loving and supportive parents who are committed to their children's success.''

All too often, deportation separates U.S. citizen children from their parents. In 2009, the Inspector General of the Department of Homeland Security found that, in the last ten years, at least 108,434 immigrant parents of American citizen children were removed from this country. Other reports show that deporting a parent causes trauma and long-lasting harm to children.

Moreover, the deportation of Javier and Leticia would be a significant loss to the community. Leticia is currently volunteering and training for a job with Bay Area Women Against Rape in Oakland, which provides services to survivors of sexual assault. She also works as a certified health promoter at the Tiburcio Vazquez Health Center in Fremont.

Javier's community involvement is just as impressive. He has volunteered with the Women's Foundation of California, Lance Armstrong's Livestrong Foundation, the Saint Patrick Proto Cathedral Parish, the American Red Cross, and the California AIDS Ride.

Patricia W. Chang, a long-time community leader in California and current CEO of the Feed the Hunger Foundation, writes: ''Asking Mr. Urenda to leave the United States would deprive his children of their father, an upstanding resident of the country. It would deprive the community of an active participant, leader, and volunteer.''

Judy Patrick, President/CEO of the Women's Foundation of California, states that Javier ''is a model participant in this society.''

Clearly, Javier and Leticia have earned the admiration of their community here in the United States. They are the loving parents of three American children. Javier is a valued employee at Full Bloom Baking Company. This family shows great potential, and I believe it is in our Nation's best interest to allow them to remain here with their children and to continue making significant contributions to California and the Nation as a whole.

I respectfully ask my colleagues to support this private relief bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 594

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR JAVIER LOPEZ-URENDA AND MARIA LETICIA ARENAS.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Javier Lopez-Urenda and Maria Leticia Arenas shall each be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Javier Lopez-Urenda or Maria Leticia Arenas enter the United States before the filing deadline specified in subsection (c), that alien shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only to an application for issuance of an immigrant visa or an application for adjustment of status that is filed, with appropriate fees, within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Javier Lopez-Urenda and Maria Leticia Arenas, the Secretary of State shall instruct the proper officer to reduce by two, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the aliens' birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mrs. FEINSTEIN:

S. 595. A bill for the relief of Shirley Constantino Tan; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, today I am reintroducing a bill for the private relief of Shirley Constantino Tan. Ms. Tan is a Filipina national living in Pacifica, California. She is the proud mother of 16-year-old U.S. citizen twin boys, Jashley and Joreine, and the spouse of Jay Mercado, a naturalized U.S. citizen.

I believe Ms. Tan merits Congress' special consideration for this extraordinary form of relief because I believe her removal from the United States would cause undue hardship for her and her family. She faces deportation to the Philippines, which would separate her from her family and jeopardize her safety.

Ms. Tan experienced horrific violence in the Philippines before she left to come to the United States. When she was only 14 years old, her cousin murdered her mother and her sister and shot Shirley in the head. While the cousin who committed the murders was eventually prosecuted, he received a short jail sentence. Fearing for her safety, Ms. Tan fled the Philippines just before her cousin was due to be released from jail. She entered the United States legally on a visitor's visa in 1989.

Ms. Tan's current deportation order is the result of negligent counsel. Shirley applied for asylum in 1995. While her case appeal was pending at the Board of Immigration Appeals, her attorney failed to submit a brief to support her case. As a result, the case was dismissed, and the Board of Immigration Appeals granted Shirley voluntary departure from the United States.

Shirley never received notice that the Board of Immigration Appeals granted her voluntary departure. Shirley's attorney moved offices, did not receive the order, and ultimately never informed her of the order. As a result, Shirley did not depart the United States and the grant of voluntary departure automatically became a deportation order. She learned about the deportation order for the first time on January 28, 2009, when Immigration and Customs Enforcement agents took her into immigration custody.

Because of her attorney's negligent actions, Ms. Tan was denied the opportunity to present her case in U.S. immigration proceedings. Shirley later filed a complaint with the State Bar of California against her former attorney. She is not the first person to file such a complaint against this attorney.

In addition to the hardship that would come to Ms. Tan if she is deported, Shirley's deportation would be a serious hardship to her two United States citizen children, Jashley and Joreine, who are minors.

Jashley and Joreine are currently attending Terra Nova High School in Pacifica, California, where they continue to be excellent students on the honor roll. The children are involved in their school's music program, playing the clarinet and the flute. The children's teacher wrote a letter to me in which she described Shirley's involvement in Jashley and Joreine's lives, referring to Shirley as a ''model'' parent and describing her active role in the school community. In addition to caring for her two children, Shirley is the primary caregiver for her elderly mother-in-law.

If Ms. Tan were forced to leave the United States, her family has expressed that they would go with Shirley to the Philippines or try to find a third country where the entire family could relocate. This would mean that Jashley and Joreine would have to leave behind their education and the only home they know in the United States.

While Shirley and Jay are legally married under California law at this time, Shirley cannot legally adjust her immigration status through the regular family-based immigration procedures.

I do not believe it is in our Nation's best interest to force this family, with two United States citizen children, to make the choice between being separated and relocating to a country where they may face safety concerns or other serious hardships.

Ms. Tan and her family are involved in their community in Pacifica and own their own home. The family attends Good Shepherd Catholic Church, volunteering at the church and the Mother Theresa of Calcutta's Daughters of Charity. Shirley has the support of dozens of members of her community who shared with me the family's spirit of commitment to their community.

Enactment of the legislation I am introducing on behalf of Ms. Tan today will enable this entire family to continue their lives in California and make positive contributions to their community.

I ask my colleagues to support this private bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 595

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PERMANENT RESIDENT STATUS FOR SHIRLEY CONSTANTINO TAN.

(a) IN GENERAL.—Notwithstanding subsections (a) and (b) of section 201 of the Immigration and Nationality Act (8 U.S.C. 1151), Shirley Constantino Tan shall be eligible for issuance of an immigrant visa or for adjustment of status to that of an alien lawfully admitted for permanent residence upon filing an application for issuance of an immigrant visa under section 204 of such Act (8 U.S.C. 1154) or for adjustment of status to lawful permanent resident.

(b) ADJUSTMENT OF STATUS.—If Shirley Constantino Tan enters the United States before the filing deadline specified in subsection (c), she shall be considered to have entered and remained lawfully and shall, if otherwise eligible, be eligible for adjustment of status under section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) as of the date of the enactment of this Act.

(c) DEADLINE FOR APPLICATION AND PAYMENT OF FEES.—Subsections (a) and (b) shall apply only if the application for issuance of an immigrant visa or the application for adjustment of status is filed with appropriate fees within 2 years after the date of the enactment of this Act.

(d) REDUCTION OF IMMIGRANT VISA NUMBER.—Upon the granting of an immigrant visa or permanent residence to Shirley Constantino Tan, the Secretary of State shall instruct the proper officer to reduce by one, during the current or next following fiscal year, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 203(a) of the Immigration and Nationality Act (8 U.S.C. 1153(a)) or, if applicable, the total number of immigrant visas that are made available to natives of the country of the alien's birth under section 202(e) of such Act (8 U.S.C. 1152(e)).

(e) PAYGO.—The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. LEAHY:

S. 597. A bill to ensure the effective administration of criminal justice; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, 50 years ago today, the Supreme Court issued its landmark decision in Gideon v. Wainwright. That case affirmed a fundamental principle of our democratic society, that no person, regardless of economic status, should face prosecution without the assistance of a lawyer. It is worth pausing today to celebrate Gideon and the extraordinary idea that in a free society the government which seeks to convict someone must also assume the cost of providing an effective defense.

In the last 50 years, we have come a long way in ensuring equal justice for all Americans and there is much about our criminal justice system in which to take pride. But we must also be honest and recognize that in too many courtrooms it is better to be rich and guilty than poor and innocent. The rich will have competent counsel, but those who have little often find their lives placed in the hands of underpaid court-appointed lawyers who are inexperienced, overworked, inept, uninterested, or worse.

The bottom line is that the promise made in Gideon remains unfulfilled. At

the core of this problem is the fact that too many States still lack adequate programs for providing effective representation. That failure results in miscarriages of justice, including wrongful convictions, in violation of our constitutional obligation to provide effective assistance of counsel. In his column yesterday in The New York Times, Lincoln Caplan noted, ''by well-informed estimates, at least 80 percent of state criminal defendants cannot afford to pay for lawyers and have to depend on court-appointed counsel.'' A recent article on the front page of USA Today correctly calls the problem a ''national crisis,'' highlighting one public defender's office in Pennsylvania that has four investigators to handle its 4,000 cases a year and where some lawyers have no desk or phone. A similar AP article which ran in the Washington Post cites additional examples of this ongoing failure of our criminal justice system, including one public defender in Indianapolis who was asked to represent 300 clients at a time. I know what it takes to work a case effectively from my time as a prosecutor, and no lawyer can provide effective counsel to 300 defendants at once.

We can no longer ignore the disturbing examples discussed in these articles. We are on notice that a constitutional right is consistently being violated and, if we are to call ourselves a country of laws, it is our obligation as a nation, and particularly as the Congress, to take action and make a change. That is why today, I am introducing the Gideon's Promise Act of 2013. This legislation takes important new steps to breathe life into Gideon and ensure the fairness of our criminal justice system for all participants.

I first introduced this legislation last Congress, as part of the reauthorization of the Justice For All Act. That law, passed in 2004, was an unprecedented bipartisan piece of criminal justice legislation. It was the most significant step Congress had taken in many years to improve the quality of justice in this country and to improve public confidence in the integrity of the American justice system. I plan to reintroduce the reauthorization of the Justice for All Act, again, later this spring and it will include this critical provision to ensure that our criminal justice system operates effectively and consistent with our constitutional obligations.

The Gideon's Promise Act takes several important new steps to improve the quality of the criminal justice system. First, it seeks to encourage States to adopt a comprehensive approach in using the Federal funds received through the Edward Byrne Memorial Justice Assistance Grant, JAG, Program. This will help to ensure that their criminal justice systems operate effectively as a whole and that all parts of the system work together and receive the resources they need. Specifically, the bill reinstates a previous requirement of the Byrne JAG Program that States develop, and update annually, a strategic plan detailing how grants received under the program will be used to improve the administration of the criminal justice system. The requirement was removed from the Byrne JAG grant application several years ago, but groups representing States and victims have requested that it be reinstated in order to improve the efficient and effective use of criminal justice resources. The plan must be formulated in consultation with local governments and all segments of the criminal justice system. The Attorney General will also be required to provide technical assistance to help States formulate their strategic plans.

This legislation also takes important new steps to ensure that all criminal defendants, including those who cannot afford a lawyer, receive constitutionally adequate representation. It requires the Department of Justice to assist States that want help developing an effective and efficient system of indigent defense, and it establishes a cause of action for the Federal Government to step in when States are systematically failing to provide the representation called for in the Constitution.

This is a reasonable measure that gives the States assistance and time needed to make necessary changes and seeks to provide an incentive for States to do so. As a former prosecutor, I have great faith in the men and women of law enforcement, and I know that the vast majority of the time our criminal justice system does work fairly and effectively. I also know that the system only works as it should when each side is well represented by competent and well-trained counsel. That realization was reflected in the testimony of District Attorney Patricia Lykos of Houston that competent defense attorneys are critical to a prosecutor's job. Our system requires good lawyers on both sides. Incompetent counsel can result not only in needless and time-consuming appeals but, far more importantly, can lead to wrongful convictions and overall distrust in the criminal process.

In working on this legislation, I have also learned that the most effective systems of indigent defense are not always the most expensive. In some cases, making the necessary changes may also save States money.

I remain committed to ensuring that our criminal justice system operates as effectively and fairly as possible. Unfortunately, we are not there yet. Too often the quality of justice a defendant receives in our system depends on how much he or she can pay for an attorney. The Constitution requires that we do better. Americans need and deserve a criminal justice system that keeps us safe, ensures fairness and accuracy, and fulfills the promise of our Constitution for all people.

This bill will take important steps to bring us closer to that goal and I urge all Senators to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill and three articles be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 597

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Gideon's Promise Act''.

SEC. 2. EFFECTIVE ADMINISTRATION OF CRIMINAL JUSTICE.

(a) STRATEGIC PLANNING.—Section 502 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3752) is amended—

(1) by inserting ''(a) IN GENERAL.—'' before ''To request a grant''; and

(2) by adding at the end the following:

''(6) A comprehensive State-wide plan detailing how grants received under this section will be used to improve the administration of the criminal justice system, which shall—

''(A) be designed in consultation with local governments, and all segments of the criminal justice system, including judges, prosecutors, law enforcement personnel, corrections personnel, and providers of indigent defense services, victim services, juvenile justice delinquency prevention programs, community corrections, and reentry services;

''(B) include a description of how the State will allocate funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

''(C) describe the process used by the State for gathering evidence-based data and developing and using evidence-based and evidence-gathering approaches in support of funding decisions; and

''(D) be updated every 5 years, with annual progress reports that—

''(i) address changing circumstances in the State, if any;

''(ii) describe how the State plans to adjust funding within and among each of the uses described in subparagraphs (A) through (G) of section 501(a)(1);

''(iii) provide an ongoing assessment of need;

''(iv) discuss the accomplishment of goals identified in any plan previously prepared under this paragraph; and

''(v) reflect how the plan influenced funding decisions in the previous year.

''(b) TECHNICAL ASSISTANCE.—

''(1) STRATEGIC PLANNING.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments requesting support to develop and implement the strategic plan required under subsection (a)(6).

''(2) PROTECTION OF CONSTITUTIONAL RIGHTS.—Not later than 90 days after the date of enactment of this subsection, the Attorney General shall begin to provide technical assistance to States and local governments, including any agent thereof with responsibility for administration of justice, requesting support to meet the obligations established by the Sixth Amendment to the Constitution of the United States, which shall include—

''(A) public dissemination of practices, structures, or models for the administration of justice consistent with the requirements of the Sixth Amendment; and

''(B) assistance with adopting and implementing a system for the administration of justice consistent with the requirements of the Sixth Amendment.

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated $5,000,000 for each of fiscal years 2014 through 2018 to carry out this subsection.''.

(b) PROTECTION OF CONSTITUTIONAL RIGHTS.—

(1) UNLAWFUL CONDUCT.—It shall be unlawful for any governmental authority, or any agent thereof, or any person acting on behalf of a governmental authority, to engage in a pattern or practice of conduct by officials or employees of any governmental agency with responsibility for the administration of justice, including the administration of programs or services that provide appointed counsel to indigent defendants, that deprives persons of their rights to assistance of counsel as protected under the Sixth Amendment and Fourteenth Amendment to the Constitution of the United States.

(2) CIVIL ACTION BY ATTORNEY GENERAL.—Whenever the Attorney General has reasonable cause to believe that a violation of paragraph (1) has occurred, the Attorney General, for or in the name of the United States, may, in a civil action, obtain appropriate equitable and declaratory relief to eliminate the pattern or practice.

(3) EFFECTIVE DATE.—Paragraph (2) shall take effect 2 years after the date of enactment of this Act.

[From the New York Times, Mar. 9, 2013]

THE RIGHT TO COUNSEL: BADLY BATTERED AT 50

(By Lincoln Caplan)

A half-century ago, the Supreme Court ruled that anyone too poor to hire a lawyer must be provided one free in any criminal case involving a felony charge. The holding in Gideon v. Wainwright enlarged the Constitution's safeguards of liberty and equality, finding the right to counsel ''fundamental.'' The goal was ''fair trials before impartial tribunals in which every defendant stands equal before the law.''

This principle has been expanded to cover other circumstances as well: misdemeanor cases where the defendant could be jailed, a defendant's first appeal from a conviction and proceedings against a juvenile for delinquency.

While the constitutional commitment is generally met in federal courts, it is a different story in state courts, which handle about 95 percent of America's criminal cases. This matters because, by well-informed estimates, at least 80 percent of state criminal defendants cannot afford to pay for lawyers and have to depend on court-appointed counsel.

Even the best-run state programs lack enough money to provide competent lawyers for all indigent defendants who need them. Florida set up public defender offices when Gideon was decided, and the Miami office was a standout. But as demand has outpaced financing, caseloads for Miami defenders have grown to 500 felonies a year, though the American Bar Association guidelines say caseloads should not exceed 150 felonies.

Only 24 states have statewide public defender systems. Others flout their constitutional obligations by pushing the problem onto cash-strapped counties or local judicial districts.

Lack of financing isn't the only problem, either. Contempt for poor defendants is too often the norm. In Kentucky, 68 percent of poor people accused of misdemeanors appear in court hearings without lawyers. In 21 counties in Florida in 2010, 70 percent of misdemeanor defendants pleaded guilty or no contest—at arraignments that averaged less than three minutes.

The Supreme Court has said that poor people are entitled to counsel ''within a reasonable time'' after a case is initiated. But defendants, after their arrest, can spend weeks or even months in jail without a lawyer's help. In a Mississippi case, a woman charged with shoplifting sat in jail for 11 months before a lawyer was appointed.

The powerlessness of poor defendants is becoming even more evident under harsh sentencing schemes created in the past few decades. They give prosecutors, who have huge discretion, a strong threat to use, and have led to almost 94 percent of all state criminal cases being settled in plea bargains—often because of weak defense lawyers who fail to push back.

The competency of lawyers is, of course, most critical in death penalty cases. In dozens of states, capital cases are routinely handled by poorly paid, inexperienced lawyers. And yet, only very rarely are inmates ever granted a new trial because of incompetent counsel.

In a Georgia death penalty case last year, the United States Court of Appeals for the Fifth Circuit ruled that even though the main defense lawyer drank a quart of vodka each night of the trial, there was no need for a retrial. The lawyer was himself preparing to be criminally prosecuted for stealing client funds, and presented very little evidence about the defendant's intellectual disability. But the court said the defendant had a fair trial because proof that he killed a sheriff's deputy outweighed any weakness in his legal representation.

In an infamous 1996 Texas death-penalty case, the Texas Court of Criminal Appeals upheld a defendant's death sentence even though his lead counsel slept during the trial.

The Supreme Court has made it possible for courts to uphold such indefensible lawyering. In 1984, in Strickland v. Washington, the court said that for a defendant to be entitled to a new trial, he must show both that his lawyer's advice was deficient and that the deficiency deprived him of a fair trial—a very high hurdle. And the court's majority defined competency as requiring only that the lawyer's judgment be ''reasonable under prevailing professional norms.''

Justice Thurgood Marshall, writing in dissent, said the result of this empty standard ''is covertly to legitimate convictions and sentences obtained on the basis of incompetent conduct by defense counsel.'' That is exactly what has happened in the past three decades. In fact, incompetent counsel for poor defendants is so widespread that under this standard the prevailing professional norm has been reduced to mediocrity.

After 50 years, the promise of Gideon v. Wainwright is mocked more often than fulfilled. In a forthcoming issue of The Yale Law Journal, Stephen Bright, president of the Southern Center for Human Rights in Georgia, and Sia Sanneh, a lawyer with the Equal Justice Initiative in Alabama, recommend that all states have statewide public defender systems that train and supervise their lawyers, limit their workloads and have specialized teams in, for example, death-penalty cases.

There is no shortage of lawyers to do this work. What stands in the way is an undemocratic, deep-seated lack of political will.

[From the Washington Post, Mar. 17, 2013]

50 YEARS AFTER LANDMARK RULING, LAWYER'S HELP IS LEGAL FICTION FOR MANY ACCUSED OF CRIME

(By Associated Press)

WASHINGTON.—It is not the happiest of birthdays for the landmark Supreme Court decision that, a half-century ago, guaranteed a lawyer for criminal defendants who are too poor to afford one.

A unanimous high court issued its decision in Gideon v. Wainwright on March 18, 1963, declaring that states have an obligation to provide defendants with ''the guiding hand of counsel'' to ensure a fair trial for the accused.

But in many states today, taxpayer-funded public defenders face crushing caseloads, the quality of legal representation varies from county to county and people stand before judges having seen a lawyer only briefly, if at all.

''There is no denying that much, much needs to be done,'' Attorney General Eric Holder said Friday at a Justice Department event to commemorate the anniversary.

Clarence Earl Gideon had been in and out of jail in his nearly 51 years when he was arrested on suspicion of stealing wine and some money from vending machines at a Panama City, Fla., pool hall in 1961. Gideon asked the judge for a lawyer before his trial, but was turned down. At the time, Florida only provided lawyers for indigent defendants in capital cases.

A jury soon convicted Gideon and the state Supreme Court upheld the verdict on appeal. Then, from his Florida prison cell, Gideon scratched out his Supreme Court appeal in pencil on prison stationery. It arrived at the court early in 1962, when the justices were looking for a good case to take on the issue of indigent defense. The court appointed Washington lawyer Abe Fortas, a future justice, to represent him.

Just two months after hearing arguments, Justice Hugo Black wrote for the court that ''in our adversary system of criminal justice, any person hauled into court, who is too poor to hire a lawyer, cannot be assured a fair trial unless counsel is provided for him. This seems to us to be an obvious truth.''

Five months later, Gideon got a lawyer and a new trial, and the attorney poked holes in the prosecution's case. A jury quickly returned its verdict: not guilty.

So that was the promise of Gideon—that a competent lawyer for the defense would stand on an equal footing with prosecutors, and that justice would prevail, at least in theory.

A half-century later, there are parts of the country where ''it is better to be rich and guilty than poor and innocent,'' said Sen. Patrick Leahy, D–Vt., chairman of the Senate Judiciary Committee and a former prosecutor. Leahy said court-appointed lawyers often are underpaid and can be ''inexperienced, inept, uninterested or worse.''

Regardless of guilt or innocence, few of those accused of crimes are rich, while 80 percent say they are too poor to afford a lawyer.

People who work in the criminal justice system have become numb to the problems, creating a culture of low expectations, said Jonathan Rapping, a veteran public defender who has worked in Washington, D.C., Atlanta and New Orleans.

Rapping remembers walking into a courtroom in New Orleans for the first time for a client's initial appearance before a judge. Several defendants in jump suits were shackled together in one part of the courtroom. The judge moved briskly through charges against each of the men, with a lawyer speaking up for each one.

Then he called a name and there was no lawyer present. The defendant piped up. ''The guy said he hadn't seen a lawyer since he was locked up 70 days ago. And no one in the courtroom was shocked. No one was surprised,'' Rapping said.

Complaints about the quality of representation also are difficult to sustain, under a high bar that the Supreme Court set in a 1984 case. The relatively few cases in which a lawyer's work is deemed so bad that it violates

his client's rights typically have an outlandish set of facts that would be funny if the consequences weren't tragic. ''You see too many instances of ineffective assistance of counsel, too many instances where you think, 'Was this lawyer crazy?''' Supreme Court Justice Elena Kagan said at the Justice Department event.

She recounted a case from last term in which a lawyer advised his client to reject a plea deal with a seven-year prison term and go to trial The lawyer said prosecutors could not prove a charge of intent to murder because the victim had been shot below the waist. 'The defendant was convicted and sentenced to 30 years in prison.

Kagan was part of the 5–4 decision in the defendant's favor.

In some places, lawyers are overwhelmed by their caseloads. A public defender in Indianapolis lasted less than a year in his job after being asked to represent more than 300 defendants at a time, said Norman Lefstein, former dean of the Indiana University Robert H. McKinney School of Law.

''A lawyer with an S on his chest for Superman couldn't represent these people. He simply couldn't do it. There are only so many hours in a day. But it's not just caseload. It's the other support services that go along with it,'' including investigators, said Lefstein, who has studied problems in indigent defense for decades.

In Luzerne County, in northeastern Pennsylvania, the chief public defender told the local court he would stop accepting certain cases because his office had too many clients, too few lawyers and not enough money. A judge's ruling in June acknowledged the lack of money and manpower, but forbade the defender's office to turn away cases. The judge's ruling was encouraging, Leftein said, but on his last visit to Wilkes-Bane in January he found ''the caseloads are worse than ever.''

Eighteen states, including California, Illinois, New York and Pennsylvania, leave the finding of indigent defense entirely to their counties, said Rhoda Billings, a former chief justice of the North Carolina Supreme Court who has looked at the issue for the American Bar Association. Those states ''have a significant disparity in the appointment of counsel'' from one county to the next, Billings said.

Public defenders in those counties often report to elected officials or their appointees, rather than independent boards that are insulated from politics. But even programs run at the statewide level are not free of political influence, Billings said, citing the case of a New Mexico public defender fired by the governor.

The lack of independence raises questions about whether decisions are being made in the best interests of clients, Rapping said.

The avalanche of cases and politics come together to present a formidable obstacle to alleviating some of the problems that afflict the system in some states. Politicians do not like asking voters for money for indigent defense.

''Arguing for more money to defend criminals is not the easiest way to win a close election,'' said former Vice President Walter Mondale. As Minnesota's attorney general in the early 1960s, Mondale recruited 21 other states to join in a brief urging the court to rule as it did and rejected a plea from Florida to support limits on states' responsibilities to poor defendants.

Heralded for its powerful statement about the right to a lawyer, the Gideon decision also left states on their own to pay for the provision of counsel, Lefstein said. ''It came as an unfunded mandate to 50 state governments and that problem endures,'' he said, noting that in England, Parliament provides money to local governments to pay for legal representation of the poor.

''The federal government does next to nothing to support indigent defense in the United States,'' Lefstein said.

Since becoming attorney general more than four years ago, Holder has shown a commitment to the issue. He established an ''Access to Justice'' program and made Harvard Law School professor Laurence Tribe its initial director. The department also has sent a few million dollars to defense programs across the country. He announced nearly $2 million in new grants on Friday.

The right announced by the Supreme Court 50 years ago only covers criminal cases. It has never been extended to civil matters, although as Mondale pointed out, they can lead to people losing their homes, their families, being confined in a mental institution or being thrown out of the country.

To people in those situations, he said, the distinction between criminal and civil law ''doesn't make much of a difference.''

[From USA Today, Mar. 12, 2013]

YOU HAVE THE RIGHT TO COUNSEL. OR DO YOU?

50 YEARS AFTER THE U.S. SUPREME COURT ENSHRINED THE CONSTITUTIONAL RIGHT TO A LAWYER, BUDGET REALITIES ARE UNDERMINING JUSTICE IN AMERICA

(By Rick Hampson)

WILKES-BARRE, PA.—The first face visitors see when they walk into the public defender's office here is a photo of Clarence Gideon, the drifter, drinker, gambler and thief who became a hero of American jurisprudence.

It was in his case, Gideon v. Wainwright, that the Supreme Court ruled 50 years ago this month that everyone accused of a serious crime has a constitutional right to a lawyer, whether they can afford it or not.

When he was charged with breaking into a pool hall outside Panama City, Fla., Gideon asked for a court-appointed lawyer. After the judge said no, he represented himself, was found guilty and sentenced to five years. From prison, he appealed to the Supreme Court, which took his case and ordered a new trial.

If he came back today, Clarence Gideon might rue the quality of legal representation he'd receive. He might not get any at all.

Such was the fate last year of some indigent criminal defendants who walked in the public defender's door here and past Gideon's gaze. They were told that, because of a shortage of staff lawyers, the office was turning down all but the most serious new cases. They were given a letter to show the judge.

Al Flora, Luzerne County chief public defender, says that ethically and legally he had no choice: His overburdened lawyers couldn't take on new clients and do justice to those they already had. He sued county officials—his bosses—to let him hire more lawyers and to stop them from retaliating against him.

The situation in Luzerne County reflects what experts say is a national crisis in indigent legal defense that has thwarted Gideon's promise of legal equality.

Many public defenders are overwhelmed by caseloads, and financially pressed states and counties are levying fees and applying means tests for granting counsel. ''We're not calling the anniversary a celebration,'' says Edwin Burnette of the National Legal Aid and Defender Association. ''There's nothing to celebrate.''

Flora is not the only rebel. The Florida Supreme Court is considering a similar attempt by the Miami-Dade County public defender's office to limit its caseload. Last year, the Missouri Supreme Court authorized public defenders with unmanageable caseloads to decline new cases, and the American Bar Association urged states and counties not to fire public defenders who do.

The problem is money. An explosion in the number of criminal cases has overwhelmed the indigent defense system, which represents about 80% of all accused.

The right to counsel is stronger than ever; it was expanded by the Supreme Court during its last term. Although few in state and county government quarrel with the principle of Gideon, few are eager to cover the ever-growing tab for its realization.

That worries advocates on each side of Gideon, including Bruce Jacob, the former Florida assistant attorney general who argued the state's case before the Supreme Court, and former vice president Walter Mondale, who as attorney general of Minnesota in 1963 filed a brief supporting Gideon.

''We're not close to fulfilling the promise of Gideon,'' Jacob says. Although more defendants see a lawyer than 50 years ago, he says, many advocates don't have time to give clients ''effective representation.''

Any celebration of the anniversary should be ''subdued,'' Mondale says, because ''we've missed the mark, and we may be going backwards.''

Others, while conceding the problem, take a more positive view. ''For the most part, public defenders and prosecutors get it right,'' says Scott Burns, director of the National District Attorneys Association. ''Gideon would celebrate this anniversary.''

'I AM ENTITLED . . . TO COUNSEL'

Clarence Gideon was jailed before he was old enough to drive and behind bars for much of his young adulthood. By the time he was 51, he'd been convicted of five felonies, including thefts from a government armory and a country store.

His biographer, Anthony Lewis, described him as a ''used-up man'' who looked 15 years older than his age. In a letter, Gideon admitted ''the utter folly and hopelessness'' of much of his life.

On Aug. 4, 1961, facing trial on a charge that would send him back to prison, Gideon told the judge, ''The United States Supreme Court says I am entitled to be represented by counsel.''

The only problem: It had not, and he was not.

Beginning with Betts v. Brady (1942), the court had refused to declare a blanket constitutional right to counsel in non-capital state felony trials unless defendants faced ''special circumstances,'' such as youth, illiteracy or unusually complex issues.

Undeterred, the imprisoned Gideon mailed the court a petition for a new trial. Handwritten in pencil on lined prison paper, it began with anachronistic legalese: ''Comes now the petitioner . . .''

The court received many petitions like it every week from prisons around the country, but Gideon had two things in his favor.

First, he had raised the constitutional issue at trial, which meant he could use it to appeal.

Second, he didn't claim special circumstances, and—whether Gideon knew it or not—a majority of the justices already were inclined to jettison Betts v. Brady in favor of a flat constitutional right to counsel.

All the court needed was a case on which to rule. And here came Gideon.

On March 18, 1963, the court ruled unanimously that Gideon's conviction was unconstitutional because he'd been denied his request for counsel.

Justice Hugo Black wrote that in our adversarial justice system, the ''noble idea (that) every defendant stands equal before the law . . . cannot be realized if the poor man charged with a crime has to face his accusers without a lawyer.''

The case was sent back to Florida, which had quickly established a network of public defenders. But Gideon insisted on a private practitioner, Fred Turner. It was a shrewd choice.

Turner interviewed Gideon in jail and spent several days investigating. He checked out the pool hall. He drove to the town where the prosecution witness had been earlier on the night of the crime. He picked pears with the witness's mother in her yard. He became convinced the witness was the perpetrator.

The jury took just over an hour: Not guilty. Gideon went out and got a hamburger.

The jailbird's name became synonymous with freedom. In Florida alone, 976 prisoners were released because of Gideon; an additional 500 got a new trial.

After his release, Gideon stayed out of trouble. He died of cancer in 1972 at 61, too soon to see himself played by Henry Fonda in the 1980 TV movie Gideon's Trumpet.

His gravestone in Hannibal, Mo., bears a message drawn from a letter he wrote in prison. It reflects his belief that he was part of something bigger than himself: ''I believe each era finds an improvement in law,'' Gideon wrote. ''Each year brings out something new for the benefit of mankind.''

ALL WE CAN DO IS TRIAGE

After the inspirational Gideon v. Wainwright poster in the reception area, it's all downhill in the Luzerne public defender's office.

The walls are scuffed, the carpets stained. File folders are stacked on the floor. ''It's a mess,'' admits Al Flora, leading a tour. ''Half the time the secretaries can't find the right file.'' As a result, clients sometimes aren't notified of their court dates.

Some of the office's 21 lawyers have no desk or personal phone. The top of a file cabinet serves as a desk for one lawyer. A nightstand in a corner accommodates another.

The office, which handles about 4,000 cases a year in this northeastern Pennsylvania county of 320,000, has only four investigators and four secretaries. Lawyers often have to type their own briefs. They have little time to take depositions or seek discovery of prosecution evidence.

A third of Flora's lawyers have never tried a case. They're smart and energetic, he says, but so inexperienced that if given a full caseload, ''they'd crack. . . . All we can do is triage cases.''

He says some public defenders ''don't want to talk about the problem. I decided to go the other way. This has to stop.''

Traditionally, Southern states have had the worst record of giving poor defendants counsel. But Jonathan Rapping, founder of the Southern Public Defender Training Center, says the problem now is more acute in Northeastern jurisdictions with shrunken industrial bases and chronic fiscal woes.

That describes Luzerne County, which gets no state funds for public defenders. Last year, Flora's $2.7 million budget was cut 7%, and later—until a judge intervened—a hiring freeze blocked him from filling five lawyers' slots that were budgeted.

In six months, he turned away more than 500 applicants for legal counsel, an approach that antagonized county officials. John Dean, a county attorney, has accused Flora of regarding the county as ''nothing more than a checkbook'' and suggested he handle more cases himself.

In June, a judge told Flora to resume taking all comers and told the county to let Flora hire more lawyers. Since then, the county has paid for a computerized case management system and promised to find more office space.

AN EROSION OF JUSTICE

In the past 18 months, a third of the office's lawyers have left. One was Ed Olexa, 38. He'd read Gideon in law school but didn't bargain for what he found when he became a public defender four years ago.

Although he was a $34,000-a-year part-timer—19 hours a week—he usually had 150 to 170 cases, far in excess of the maximum recommended by the American Bar Association for full-time defenders. The cases took up 40 to 50 hours a week. Along with his private cases, he worked up to 70 hours a week.

He often was scheduled to appear before two or three different judges at the same time in different places around the county. He'd meet clients for the first time in the courtroom—some straight from jail, still in handcuffs—and go before the judge with only the complaint and a hurried conversation with his client as background.

That, he says, was the worst: No time to establish rapport with clients or get the details that can win an acquittal. No time to do what Turner did for Gideon. Instead, he spent his time asking judges for more time. ''It offended my sense of justice,'' he says.

And his clients'. He won't discuss their specific complaints but says, ''The best attorney in the world would be incompetent under those circumstances.''

Over time, most experts say, the costs are clear. Poor people arrested for misdemeanors plead guilty and go free rather than wait to see a public defender, even though a conviction on their record might hurt their chances for employment, loans or housing. At worst, the innocent go to jail, and the guilty go free.

The Luzerne chief public defender is a part-time post; the county plans to make it full time. Flora has applied.

''I want to see it done right,'' he says. ''I believe people who are impoverished and can't afford a lawyer deserve one. If we can't provide that, then what kind of society do we really have?''

By Mrs. FEINSTEIN (for herself and Mr. NELSON):

S. 598. A bill to prohibit royalty incentives for deepwater drilling, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce, with my distinguished colleague, Senator BILL NELSON, the Deepwater Drilling Royalty Relief Prohibition Act.

Specifically, the bill prohibits the Interior Department from waiving royalty payments due to American taxpayers as compensation for the oil industry's exploitation of Federal oil and gas resources in waters exceeding 400 meters of depth.

It is necessary because Congress has established a number of royalty-relief programs for oil and gas production in our deepest Federal waters.

However, as the BP Deep water Horizon catastrophe showed, encouraging this most dangerous and often dirty form of oil drilling is not in the public interest.

The disastrous impacts of the Deepwater Horizon explosion illustrate the enormous environmental and safety risks of offshore drilling—particularly in deep waters. 11 people died and 17 others were injured when the Deepwater Horizon caught fire. 5 million barrels of oil gushed into the Gulf of Mexico.

It took 9,700 vessels, 127 aircraft, 47,829 people, nearly 2 million gallons of toxic dispersants, and 89 days to plug the well and stop the flow of oil. And the scope of the disaster was tremendous. Oil slicks spread across the Gulf of Mexico, forcing the closing of 40 percent of Gulf waters to all commercial and recreational fishing. Pelicans and other wildlife struggled to free themselves from crude oil. Wildlife responders collected 8,183 birds, 1,144 sea turtles, and 109 marine mammals killed or negatively affected by the spill. Many more perished and sank to the ocean depths without detection.

More than 650 miles of Gulf coastal habitats—including salt marshes, mudflats, mangroves, and sand beaches—were oiled. Tar balls spoiled the pristine white sand beaches of Florida, while wetlands were coated with toxic sludge. Oyster beds could take years to recover.

The plumes of underwater oil created zones of toxicity for aquatic life. Recent studies have determined the BP spill was ''definitely linked'' to ''widespread signs of distress'' and the slow death of deepwater coral within seven miles of the blowout site.

The response techniques, such as the use of dispersants, may have their own toxic consequences to both wildlife and the spill response workers. A recent report asserts that the mixture of toxic dispersants and crude oil has now weathered into tar product, and that the ''unholy mix'' is allowing potentially carcinogenic concentrations of organic pollutants to remain in the environment.

The impacts of an oil spill are so dramatic and devastating, it seems clear to me that this is not an area in which we should be subsidizing development.

In 1969, off Santa Barbara, California, a natural gas blowout caused an unprecedented oil spill.

The drilling technology 40 years ago was not able to prevent a disaster, nor could it stop the flow of oil, which went on for more than 11 days. Unfortunately, today's technology also cannot prevent well-head blowouts or quickly stop the flow of oil.

The Deepwater Horizon drill rig was less than 10 years old when it caused a devastating blow out. A similar rig that caused the 2009 spill in the Montara oil and gas field in the Timor Sea—one of the worst in Australia's history—was even newer, designed and built in 2007. That spill continued unchecked for 74 days.

The failures that led to these catastrophes were human and technological. But they demonstrate that we are a long way from spill-free offshore oil and gas production technology.

In deep waters, the risks are higher and the scope of the damage even greater, because drilling in deep water presents even more challenges than drilling in shallow water or on shore. This was demonstrated during the Deepwater Horizon disaster.

Methane hydrate crystals form when methane gas mixes with pressurized cold ocean waters—and the likelihood

of these crystals forming increases dramatically at a depth of about 400 meters. These crystals interfere with response and containment technologies. They formed in the cofferdam dome that was lowered onto the gushing oil in the Gulf, which failed to stop the oil in the early days of the spill.

When a remotely operated underwater vehicle bumped the valves in the ''top hat'' device, the containment cap had to be removed and slowly replaced to prevent formation of these crystals again.

In order to drill at deeper depths, many technical difficulties must be overcome. The ocean currents on the surface and in the water column exert torque pressure on the pipes and cables, which are longer and heavier.

The water temperature decreases closer to the sea floor, but the temperature of the ground under the ocean increases the deeper the well—sometimes reaching temperatures in excess of 350 degrees Fahrenheit.

The ocean pressure increases dramatically at depth, but the pressure in a well can exceed 10,000 pounds per square inch.

Drills must be able to pass through tar and salts, and the well bores must remain intact.

The volume of drilling mud and fluids is greater, the weight of the cables heavier, and many technical procedures can only be accomplished with the use of remotely operated vehicles thousands of feet below the surface.

American taxpayers should not forego revenue in order to incentivize offshore drilling at these dangerous depths. It is not good environmental policy, and it's not good energy policy either. We need to move to cleaner renewable fuels.

I believe that global warming presents a serious environmental and economic threat—and scientists agree that the biggest culprit of global warming is manmade emissions produced by the combustion of fossil fuels like oil and coal.

Taxpayer-funded incentives should be utilized to develop and deploy clean energy technologies that address this crisis, instead of encouraging the fossil fuels at the root of the problem through oil and gas royalty relief.

Congress has worked to move in this direction. In 2007, we passed the Ten in Ten Fuel Economy Act which will raise fuel economy standards for passenger vehicles to 54 miles per gallon by 2025.

Over the past four years, renewable energy generation in the United States has more than doubled—due in large part to Federal tax incentives, financing mechanisms, and a vastly improved permitting process. In 2012, a whopping 44 percent of new electric generating capacity added to the grid was wind power.

The Federal government is helping the United States adopt a cleaner energy future.

Royalty relief for dangerous oil and gas development, however, is not advancing this goal.

Let me make one final point: oil companies—the primary recipients of royalty relief—do not need taxpayer help. They are already reaping record profits.

Higher gasoline prices are causing families pain at the pump, but they are a boon to the world's five largest oil companies. BP, Chevron, ConocoPhillips, ExxonMobil, and Shell made a combined $118 billion in profits in 2012, or an average of almost $500 for each car in America.

Moreover, the big three publicly owned U.S. oil companies—ExxonMobil, Chevron, and ConocoPhillips paid effective federal tax rates in 2011 of 13 percent; 19 percent; and 18 percent respectively. Yet we continue to use taxpayer dollars to add to their bottom line. This is unacceptable.

Oil reserves under Federal waters are a public resource. When a private company profits from those public resources, American taxpayers should also benefit.

I urge my colleagues to support this legislation and ensure that royalties owed to the taxpayers are not waived to incentivize risky off-shore drilling. In these critical economic times, every cent of the people's money should be spent wisely.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 598

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Deepwater Drilling Royalty Relief Prohibition Act''.

SEC. 2. PROHIBITION ON ROYALTY INCENTIVES FOR DEEPWATER DRILLING.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of the Interior shall not issue any oil or gas lease sale under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) with royalty-based incentives in any tract located in water depths of 400 meters or more on the outer Continental Shelf.

(b) ROYALTY RELIEF FOR DEEP WATER PRODUCTION.—Section 345 of the Energy Policy Act of 2005 (42 U.S.C. 15905) is repealed.

(c) ROYALTY RELIEF.—Section 8(a)(3) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)) is amended by adding at the end the following:

''(D) PROHIBITION.—Notwithstanding subparagraphs (A) through (C) or any other provision of law, the Secretary shall not reduce or eliminate any royalty or net profit share for any lease or unit located in water depths of 400 meters or more on the outer Continental Shelf.''.

(d) APPLICATION.—This section and the amendments made by this section—

(1) apply beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published as of that date; and

(2) do not apply to a lease in effect on the date of enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 77—EXPRESSING THE SENSE OF CONGRESS RELATING TO THE COMMEMORATION OF THE 180TH ANNIVERSARY OF DIPLOMATIC RELATIONS BETWEEN THE UNITED STATES AND THE KINGDOM OF THAILAND

Mr. MENENDEZ submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 77

Whereas 2013 marks the 180th anniversary of the March 20, 1833 signing of the Treaty of Amity and Commerce between the United States and the Kingdom of Thailand (formerly known as Siam), which initiated diplomatic relations between the two countries during the administration of President Andrew Jackson and the reign of King Rama III;

Whereas Thailand was the first treaty ally of the United States in the Asia-Pacific region and remains a steadfast friend of the United States with shared values of democracy, rule of law, universal human rights, human security, open societies, and a free market;

Whereas in December 2003, the United States designated Thailand as a major ally outside the North Atlantic Treaty Organization, which improved the security of both countries, particularly by facilitating joint counterterrorism efforts;

Whereas for more than 30 years, Thailand has been the host country of Cobra Gold, the United States Pacific Command's annual multinational military training exercise, which is designed to ensure regional peace and promote regional security cooperation;

Whereas Thailand has played a leading role in the development of the Association of Southeast Asian Nations by helping the regional group develop into a more cohesive and comprehensive entity that ensures regional security and prosperity and serves as a valued partner in Asia for the United States;

Whereas on December 5, 2012, the people of Thailand celebrated the 85th birthday of His Majesty King Bhumibol Adulyadej, the world's longest-serving monarch, who is loved and respected for his lifelong dedication to the social and economic development of the people of Thailand;

Whereas on July 3, 2011, the Royal Thai Government held nationwide parliamentary elections, the results of which affirmed Thailand's commitment to the democratic process;

Whereas approximately 500,000 people of Thai descent live in the United States, joining in the pursuit of the American Dream;

Whereas Thailand is a valued trading partner of the United States, with bilateral trade totaling approximately $40,000,000,000 per year; and

Whereas the bonds of friendship and mutual respect between the United States and Thailand are strong:

Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 180th anniversary of diplomatic relations between the United States and the Kingdom of Thailand;

(2) offers sincere congratulations to the Kingdom of Thailand and the people of Thailand for their affirmation of the value of democracy;

(3) commemorates the 85th birthday of His Majesty King Bhumibol Adulyadej of Thailand and offers sincere congratulations and

best wishes for the continued prosperity of the Kingdom of Thailand; and

(4) looks forward to continued, enduring ties of friendship between the peoples of Thailand and the United States.

SENATE RESOLUTION 78—SUPPORTING THE GOALS AND IDEALS OF PROFESSIONAL SOCIAL WORK MONTH AND WORLD SOCIAL WORK DAY

Ms. STABENOW (for herself, Mr. BEGICH, Ms. MIKULSKI, Mr. COONS, and Mr. JOHNSON of South Dakota) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 78

Whereas the social work profession has been instrumental in achieving advances in civil and human rights in the United States and across the world for more than a century;

Whereas the primary mission of social work is to enhance human well-being and help meet the basic needs of all people, especially the people who are most vulnerable;

Whereas the programs and services provided by professional social workers are essential elements of the social safety net in the United States;

Whereas social workers have a critical impact on adolescent and youth development, aging and family caregiving, child protection and family services, health care navigation, mental and behavioral health treatment, assistance to members and veterans of the Armed Forces, nonprofit management and community development, and poverty reduction;

Whereas social workers function as specialists, consultants, private practitioners, educators, community leaders, policymakers, and researchers;

Whereas social workers influence many different organizations and human service systems and are employed in a wide range of workplaces, including private and public agencies, hospices and hospitals, schools, clinics, businesses and corporations, military units, elected offices, think tanks, and foundations;

Whereas social workers seek to improve social functioning and social conditions for people in emotional, psychological, economic, or physical need;

Whereas social workers are experts in care coordination, case management, and therapeutic treatment for biopsychosocial issues;

Whereas social workers have roles in more than 50 different fields of practice;

Whereas social workers believe that the strength of a country depends on the ability of the majority of the people to lead productive and healthy lives;

Whereas social workers help people, who are often navigating major life challenges, find hope and new options for achieving their maximum potential; and

Whereas social workers identify and address gaps in social systems that impede full participation by individuals or groups in society: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of Professional Social Work Month and World Social Work Day;

(2) acknowledges the diligent efforts of individuals and groups who promote the importance of social work and observe Professional Social Work Month and World Social Work Day;

(3) encourages the people of the United States to engage in appropriate ceremonies and activities to promote further awareness of the life-changing role that social workers play; and

(4) recognizes with gratitude the contributions of the millions of caring individuals who have chosen to serve their communities through social work.

SENATE RESOLUTION 79—SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. BURR (for himself and Ms. LANDRIEU) submitted the following resolution; which was considered and agreed to:

S. RES. 79

Whereas the Take Our Daughters To Work Day program was created in New York City as a response to research that showed that, by the 8th grade, many girls were dropping out of school, had low self-esteem, and lacked confidence;

Whereas, in 2003, the name of the program was changed to ''Take Our Daughters and Sons To Work Day'' so that boys who face many of the same challenges as girls could also be involved in the program;

Whereas the mission of the program, to develop ''innovative strategies that empower girls and boys to overcome societal barriers to reach their full potential'', now fully reflects the addition of boys;

Whereas the Take Our Daughters and Sons To Work Foundation, a nonprofit organization, has grown to become one of the largest public awareness campaigns, with more than 37,400,000 participants annually in more than 3,000,000 organizations and workplaces in every State;

Whereas, in 2007, the Take Our Daughters To Work program transitioned to Elizabeth City, North Carolina, became known as the Take Our Daughters and Sons To Work Foundation, and received national recognition for the dedication of the Foundation to future generations;

Whereas every year, mayors, governors, and other private and public officials sign proclamations and lend their support to Take Our Daughters and Sons To Work;

Whereas the fame of the Take Our Daughters and Sons To Work program has spread overseas, with requests and inquiries being made from around the world on how to operate the program;

Whereas 2012 marked the 20th anniversary of the Take Our Daughters and Sons To Work program;

Whereas Take Our Daughters and Sons to Work Day will be observed on Thursday, April 25, 2013; and

Whereas Take Our Daughters and Sons To Work is intended to continue helping millions of girls and boys on an annual basis through experienced activities and events to examine their opportunities and strive to reach their fullest potential: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the goals of introducing our daughters and sons to the workplace; and

(2) commends all the participants in Take Our Daughters and Sons To Work for their ongoing contributions to education, and for the vital role the participants play in promoting and ensuring a brighter, stronger future for the United States.

AMENDMENTS SUBMITTED AND PROPOSED

SA 126. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 46 submitted by Ms. AYOTTE (for herself and Mrs. SHAHEEN) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table.

SA 127. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 128. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 43 submitted by Mr. BLUNT (for himself, Mr. RISCH, Mr. HOEVEN, Mr. WICKER, Mr. JOHANNS, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, and Mr. INHOFE) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 129. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 130. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 131. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 132. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 133. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 95 submitted by Mr. NELSON and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 134. Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

SA 135. Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 126. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 46 submitted by Ms. AYOTTE (for herself and Mrs. SHAHEEN) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading

''RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY'' is hereby decreased by $380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by $205,000,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

SA 127. Ms. AYOTTE submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VIII of division C, insert the following:

SEC. 8131. (a) REDUCTION IN AMOUNT FOR ARMY RDTE FOR MEADS.—The amount appropriated or otherwise made available by title IV of this division under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'' is hereby decreased by $380,861,000, with the amount of the reduction to be allocated from amounts available under that heading for the Medium Extended Air Defense System (MEADS).

(b) INCREASE IN AMOUNT FOR O&M.—The aggregate amount appropriated by title II of this division for Operation and Maintenance is increased by $205,000,000, with the amount to be allocated among accounts funded by that title in a manner determined appropriate by the Secretary of Defense.

SA 128. Mr. ENZI submitted an amendment intended to be proposed to amendment SA 43 submitted by Mr. BLUNT (for himself, Mr. RISCH, Mr. HOEVEN, Mr. WICKER, Mr. JOHANNS, Mr. ENZI, Mrs. FISCHER, Ms. COLLINS, and Mr. INHOFE) and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end of the amendment, add the following:

(d) EXEMPT PROGRAMS AND ACTIVITIES.—

(1) IN GENERAL.—Section 255(g)(1)(A) of the Balanced Budget and Emergency Deficit Control Act (2 U.S.C. 905(g)(1)(A)) is amended—

(A) by inserting after the item relating to the Foreign Military Sales Trust Fund the following:

''Governmental Accounting Standards Board.'';

(B) by inserting after the item relating to the Postal Service Fund the following:

''Public Company Accounting Oversight Board (95–5376–0–2–376).'';

(C) by inserting after the item relating to the Salaries of Article III judges the following:

''Securities Investor Protection Corporation (95–5600–0–2–376).''; and

(D) by inserting after the item relating to the Soldiers and Airmen's Home, payment of claims the following:

''Standard Setting Body (95–5377–0–2–376).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect as though included in the amendments made by title IX of the American Taxpayer Relief Act of 2012 (Public Law 112–240; 126 Stat. 2370).''

SA 129. Mr. LEAHY submitted an amendment intended to be proposed to amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

In lieu of the matter proposed to be inserted, insert the following: ''Notwithstanding section 1101, section 7054(b) in division I of Public Law 112–74 shall be applied for purposes of this division by inserting before the period in paragraph (2) '; or (3) such assistance, license, sale, or transfer is for the purpose of demilitarizing or disposing of such cluster munitions'.''.

SA 130. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This section shall become effective 1 day after enactment.

SA 131. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

This section shall become effective 2 days after enactment.

SA 132. Mr. REID submitted an amendment intended to be proposed by him to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

This section shall become effective 3 days after enactment.

SA 133. Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 95 submitted by Mr. NELSON and intended to be proposed to the amendment SA 26 proposed by Ms. MIKULSKI (for herself and Mr. SHELBY) to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 2 and all that follows through page 2, line 2, and insert the following:

SEC. _____. The Secretary of the Army is authorized to increase the authorization amounts for a water resources development project using amounts made available under this Act only if—

(1) the applicable water resources development project was authorized on or before the date of enactment of this Act;

(2) the increased authorization amount for the applicable water resources development project is only to adjust for inflation;

(3) 100 percent of the increased authorization amount will be non-federally funded;

(4) the increased authorization amount is necessary to meet contractual bids for the project; and

(5) the increased authorization amount is included in the applicable budget of the United States Government submitted by the President under section 1105 of title 31, United States Code.

SA 134. Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''Notwithstanding any other provision of this Act, funds made available for the Bureau of Alcohol, Tobacco, Firearms, and Explosives by this or any other Act may be expended in fiscal year 2014 or any fiscal year thereafter to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code.''.

SA 135. Mrs. FEINSTEIN (for herself, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BLUMENTHAL, and Mr. MURPHY) submitted an amendment intended to be proposed by her to the bill H.R. 933, making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following: ''Notwithstanding any other provision of this Act, funds made available for the Bureau of Alcohol, Tobacco, Firearms, and Explosives by this or any other Act may be expended in fiscal year 2013 or any fiscal year thereafter to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code.''.

NOTICES OF HEARINGS

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in open session on

Tuesday, March 19, 2013, at 2:30 p.m. in room 430 of the Dirksen Senate Office Building to conduct a hearing entitled ''Can We Do More to Keep Savings in the Retirement System.''

For further information regarding this meeting, please contact Michael Kreps of the committee staff on (202) 224–6572.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I wish to announce that the Committee on Health, Education, Labor, and Pensions will meet in executive session on Wednesday, March 20, 2013, at 10 a.m. in room 430 of the Dirksen Senate Office Building to mark-up S. ___, Animal Drug and Animal Generic Drug User Fee Reauthorization Act of 2013 and S. 330, HIV Organ Policy Equity Act.

For further information regarding this meeting, please contact the Committee at (202) 224–5375.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on March 18, 2013, at 2 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''How Comprehensive Immigration Reform Should Address the Needs of Women and Families.''

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ASBESTOS AWARENESS WEEK

Mr. REID. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 66, and the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 66) designating the first week of April 2013 as ''National Asbestos Awareness Week.''

Mr. REID. Mr. President, this is a very important resolution. Thousands and thousands of people died from asbestos exposure. It is a dreadful product. People who have been exposed to it can get sick 30, 40, 50 years later. People who washed somebody's clothes who worked with asbestos can get sick and die. So I appreciate very much Senator BAUCUS and the others who sponsored this legislation.

I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 66) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of Thursday, February 28, 2013, under ''Submitted Resolutions.'')

SUPPORTING THE GOALS AND IDEALS OF TAKE OUR DAUGHTERS AND SONS TO WORK DAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to S. Res. 79.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 79) supporting the goals and ideals of Take Our Daughters and Sons to Work Day.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid on the table, with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 79) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

ORDERS FOR TUESDAY, MARCH 19, 2013

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow morning, March 19; that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate resume consideration of H.R. 933, the continuing appropriations bill; further, the time during adjournment, recess, and morning business count postcloture on the substitute amendment to H.R. 933; finally, the Senate recess from 12:30 to 2:15 p.m. tomorrow to allow for our weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, it is my sincere hope that we can reach an agreement to complete action on the continuing appropriations bill on Tuesday so we can begin consideration of the budget resolution. Remember, Easter recess is staring us in the face. We have to get this done before we leave. If it spills over into next week, despite the fact that we have Passover starting on Monday, we are going to complete our work in this body before the Easter recess.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. If there is no further business, I ask unanimous consent the Senate adjourn under the previous order.

There being no objection, the Senate, at 7:45 p.m., adjourned until Tuesday, March 19, 2013, at 10 a.m.